



Ed. Best. Law

THE
Statutes at Large,

FROM
MAGNA CHARTA

To the END of the
Eleventh Parliament of GREAT BRITAIN,

Anno 1761.

CONTINUED.

By **DANBY PICKERING**, of Gray's-Inn, Esq ;
Reader of the Law Lecture to that Honourable Society.

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THE
Statutes at Large,

Anno octavo GEORGII III. Regis.

Being the SEVENTH Session of the

Twelfth Parliament of GREAT BRITAIN.

BY

DANBY PICKERING, of GRAY'S INN, Esq;

A
T A B L E
OF THE
S T A T U T E S
PUBLICK and PRIVATE,

Passed *Anno octavo*

GEORGII III. *Regis.*

Being the Seventh Session of the Twelfth Parliament of
Great Britain.

P U B L I C K A C T S .

Cap. 1. **T**O continue and amend an act made in the last session of parliament, to prohibit, for a limited time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour.

Cap. 2. To continue several acts made in the last session of parliament, for allowing the importation of wheat, wheat flour, barley, barley meal, pulse, oats, oatmeal, rye, and rye meal, duty free; and also so much of an act made in the same session as relates to the free importation of rice from his Majesty's colonies in *North America*; and to allow the importation of wheat and wheat flour from *Africa*, for a limited time, free of duty.

Cap. 3. For the free importation of *Indian* corn, or maize, from any of his Majesty's colonies in *America* for a time therein limited.

Cap. 4. For continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty eight.

Cap. 5. To explain, amend, and render more effectual, an
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act passed in the seventh year of his present Majesty's reign, intituled, *An act to explain, amend, and reduce into one act of parliament, the several statutes now in being for the amendment and preservation of the publick highways of this kingdom; and for other purposes therein mentioned.*

Cap. 6. To indemnify such persons as have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose; and to indemnify members, and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or having been stamped, have been lost or mislaid, and for allowing them time to provide admissions duly stamped.

Cap. 7. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 8. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and sixty eight.

Cap. 9. To continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, *An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time*; and for allowing the importation of salted beef, pork, bacon, and butter, from the *British* dominions in *America*, for a limited time.

Cap. 10. To enable his Majesty to licence a playhouse in the city of *Bath*.

Cap. 11. For further regulating the proceedings of the united company of merchants of *England* trading to the *East Indies*, with respect to the making of dividends.

Cap. 12. For the regulation of his Majesty's marine forces while on shore.

Cap. 13. To explain and amend so much of an act made in the tenth year of the reign of King *William* the Third, intituled, *An act for granting an aid to his Majesty for disbanding the army, and other necessary occasions*, as relates to the number of troops to be kept upon the *Irish* establishment.

Cap. 14. For providing proper accommodations for his Majesty's justices of the great sessions in *Wales*, during the time of holding such sessions.

Cap. 15. For the more speedy and effectual transportation of offenders.

Cap. 16. For making and widening a passage or street from *The Salt Market Street*, in the city of *Glasgow*, to *Saint Andrew's Church*, in the said city; and for enlarging and compleating the church-yard of the said church; and for making and building a convenient exchange or square in the said city; and also for explaining and amending an act passed in the thirty second year of his late Majesty, for improving the navigation of the river *Clyde*, to the city of *Glasgow*; and for building a bridge cross the said river, from the said city to the village of *Gorbells*.

Cap. 17.

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Cap. 17. To amend an act made in the seventh year of King George the First, intituled, *An act for regulating the journey-men tailors within the weekly bills of mortality.*

Cap. 18. For raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and sixty eight.

Cap. 19. For further continuing an act of the sixth year of his present Majesty's reign, intituled, *An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.*

Cap. 20. For defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, beginning the twenty fifth day of *March*, one thousand seven hundred and sixty eight.

Cap. 21. For the better paving, cleansing, and enlightening, the city of *London*, and the liberties thereof, and for preventing obstructions and annoyances within the same, and for other purposes therein mentioned; and for repealing an act made in the sixth year of his present Majesty's reign for those purposes.

Cap. 22. For the more easy and effectual recovery of the penalties and forfeitures inflicted by the acts of parliament relating to the trade or revenues of the *British* colonies and plantations in *America*.

Cap. 23. To repeal so much of an act made in the fourth year of his present Majesty, as affects the island of *Guernsey* and *Jersey*, with respect to the leakage of wines imported into this kingdom from the said islands under certain restrictions and regulations; and for continuing an act made in the thirty third year of his late Majesty, for the better encouragement of the making of sale cloth in *Great Britain*.

Cap. 24. To permit the exportation of certain quantities of malt belonging to certain merchants in the county of *Norfolk*, and which were made for exportation between the fifteenth of *November*, one thousand seven hundred and sixty six, and the passing the act of the last session for prohibiting the exportation of malt.

Cap. 25. For reducing the duties on fowl salt to be used for manure; for altering the stamp duties on certain policies of assurance; for amending so much of an act made in the thirty third year of the reign of his late Majesty King George the Second, as relates to the allowance of the duties of customs, and exempting from the duties of excise such rum or spirits of the growth, produce, or manufacture, of the *British* sugar plantations in *America*, as shall be exported from this kingdom; for better securing the excise duties upon foreign liquors imported; for repealing a clause in an act made in the last session of parliament, prohibiting the sale of condemned tea for home consumption; for amending such parts of two acts

made in the sixth and seventh years of the reign of his present Majesty, as relate to the depositing, in the warehouses belonging to the custom-house at *London*, foreign wrought silks and velvets, and cambricks, and *French* lawns, upon the seizure thereof.

Cap. 26. To enable his Majesty to make leases, copies, and grants of offices, lands, and hereditaments, parcel of the duchy of *Cornwall*, or annexed to the same, and for other purposes therein mentioned.

Cap. 27. For the further continuing several acts of parliament made for the encouragement of the whale fishery carried on by his Majesty's subjects.

Cap. 28. For licensing a playhouse within the city of *Norwich*.

Cap. 29. For redeeming the remainder of the joint stock of annuities established by an act made in the third year of his present Majesty's reign, intituled, *An act for granting to his Majesty several additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raising the sum of three millions five hundred thousand pounds, by way of annuities and lotteries, to be charged on the said duties.*

Cap. 30. For granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and sixty eight; and for further appropriating the supplies granted in this session of parliament.

Cap. 31. For raising a certain sum of money, by way of annuities, and a lottery attended with annuities, to be charged on the sinking fund; and for carrying certain duties on wines, and on cyder and perry, granted by two acts of the third and sixth years of the reign of his present Majesty, to the said fund.

Cap. 32. For carrying into execution an agreement made between the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the said city, and *Stamp Brookbank* esquire, secretary to the commissioners of his Majesty's revenue of excise, for the purchase of *Gresham College*, and the ground and buildings thereunto belonging; and for vesting the same unalienably in the crown for the purposes of erecting and building an excise office there; and for enabling the lecturers of the said college to marry, notwithstanding any restriction contained in the will of *Sir Thomas Gresham* knight, deceased.

Cap. 33. For opening certain passages, and for paving the streets and other places, in the parish of *Saint Leonard Shore-ditch*, in the county of *Middlesex*, and for preventing annoyances therein.

Cap. 34. To enlarge and vary the term and powers of an act for repairing and widening the road from the west end of *Thames Street*, in the city of *Oxford*, over *Botley Causeway*, to the turnpike road near *Fifield*, in the county of *Berks*; and to provide more effectually for repairing and widening the ancient horse road

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road from the west end of *Botley Causeway* to *Witney*, in the county of *Oxford*.

Cap. 35. For amending, widening, and keeping in repair, several roads leading to and through the town of *Goudhurst* in the county of *Kent*.

Cap. 36. For making and maintaining a navigable canal from the city of *Coventry*, to communicate upon *Fradley Heath*, in the county of *Stafford*, with a canal now making between the rivers *Trent* and *Mersey*.

Cap. 37. For making and maintaining a navigable cut or canal from the river *Severn*, at or near a place called *Hawford*, in the parish of *Claines*, in the county of *Worcester*, to or near a place called *Chapel Bridge*, within the borough of *Droitwich*, in the said county.

Cap. 38. For making and maintaining a navigable cut or canal from *Birmingham* to *Bilstone*, and from thence to *Autherley*, there to communicate with the canal now making between the rivers *Severn* and *Trent*; and for making collateral cuts up to several coal mines.

Cap. 39. To continue the terms and enlarge the powers of several acts of the twelfth of *Queen Anne*, the twelfth of *King George* the First, and the twenty second of his late Majesty, for repairing the road from the city of *Worcester*, through *Droitwich*, to *Bromsgrove*, and other roads therein mentioned; and to repeal an act of the twenty eighth year of his late Majesty for repairing the roads lying in and leading from *Droitwich* aforesaid; and for amending the several roads which were directed to be repaired by the said act.

Cap. 40. For rebuilding and enlarging the common gaol of the city and county of the city of *Coventry*; and for appointing a place for the custody of prisoners in the mean time.

Cap. 41. For continuing and enlarging the powers of an act passed in the twenty fourth year of the reign of his late Majesty, intituled, *An act for repairing the road from the top of Crickley Hill, in the county of Gloucester, to Frogg Mill, through the towns of North Leach, Burford, and Witney, and parishes of Hanborough and Bladon, to Campsfield, in the parish of Kidlington, in the county of Oxford; and also the road from Witney, through Eynsham, Cumner, and Botley, to the city of Oxford; except so much thereof as relates to the road from Witney, through Eynsham, Cumner, and Botley, to the city of Oxford*; and also for repairing and widening the road from *Campsfield*, to the turnpike road at or near *Enslow Bridge*, in the said county of *Oxford*.

Cap. 42. For enlarging and continuing the term and powers granted by an act passed in the twentieth year of the reign of his late Majesty, for repairing the road from *Sunderland* near the sea, to the city of *Durham*, in the county of *Durham*.

Cap. 43. To enlarge the term and powers of an act made in the thirty third year of the reign of his late Majesty, for repairing the road from the thirty nine mile stone in *Maidstone*, to *Tubb's Lake*, in the parish of *Cranbrooke*, in the county of *Kent*.

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Cap. 44. To amend and render more effectual an act made in the second year of the reign of his present Majesty, for supplying the town of *Halifax* with water; and for better paving, cleansing, and lighting, the streets and other places there; and for removing all nuisances, incroachments, and obstructions, within the said town, and preventing the like for the future.

Cap. 45. To continue and render more effectual several acts passed for repairing the road leading from *The Stones End*, in the parish of *Saint Leonard Shoreditch*, in the county of *Middlesex*, to the farthermost part of the northern road, in the parish of *Enfield*, in the same county, next to the parish of *Chebbunt*, in the county of *Hertford*; and for amending the road from *The Watch House* in *Edmonton*, to *The Market Place* in *Enfield*.

Cap. 46. For repealing an act made in the twenty ninth year of the reign of his late majesty King George the Second, intituled, *An act for the better regulating the nightly watch and beadies, and cleansing, enlightening, and paving, the streets, squares, lanes, and other passages, and repairing the highways and causeways, and regulating the poor within the parish of Saint Mary le Bone, in the county of Middlesex*; and for making more effectual provision for those purposes.

Cap. 47. For diverting, altering, widening, repairing, and amending, the road from *Huddersfield*, in the west riding of the county of *York*, to *Woodhead*, in the county palatine of *Chester*; and from thence to a bridge over the river *Mersey*, called *Enterclough Bridge*, on the confines of the county of *Derby*.

Cap. 48. For continuing the terms of several acts made in the thirteenth year of King George the First, and in the seventeenth and thirty second years of his late Majesty, for repairing several roads leading from and through *Chippenham*, and from *Chippenham Bridge*, in the county of *Wilts*; and for amending the said acts, and reducing them into one act of parliament.

Cap. 49. To enlarge the term and powers of an act made in the twenty fifth year of the reign of his late majesty King George the Second, for repairing the road from *The Green Man* in the chapelry of *Seend*, in the county of *Wilts*, to *Beckington*, in the county of *Somerset*; and for repealing so much of an act made in the same year for repairing several roads in the counties of *Wilts* and *Somerset*, as relates to the road from a place in *Trowle Bridge Lane* to *Midford*, and from *Freshford* to *Hall's Close* in *Limpley Stoke*; and for amending the said roads, and also several other roads leading from or near the roads included in the said acts.

Cap. 50. For repairing, widening, turning, and altering, the road leading from *Reading*, in the county of *Berks*, through *Henley*, in the county of *Oxford*, and *Great Marlow*, *Chipping Wycombe*, *Agmondesham*, and *Cheyne*, in the county of *Bucks*, and *Rickmansworth*, *Watford*, and *Saint Alban's*, to *Hatfield*, in the county of *Hertford*; and also the road leading out of the said road at *Marlow*, over *Great Marlow Bridge*, through *Bysbam*,

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to or near the thirty mile stone in the turnpike road leading from *Maidenhead* to *Reading*.

Cap. 51. For amending and widening several roads leading from the town of *Bishop's Castle*, and from *Montgomery*, to the turnpike road at *Westbury*, and from *Brocton*, to the turnpike road at *Minsterley*, in the several counties of *Salop*, *Radnor*, and *Montgomery*.

Cap. 52. For repairing and widening the road from the way post in the parish of *Hardingston*, in the county of *Northampton*, to *Old Stratford*, in the said county.

Cap. 53. For repairing and widening the road from *Butkland Dinham*, to the end of the parish of *Timsbury*; and also the road from *Midsummer Norton*, to the end of the parish of *Norton Saint Phillips*; and also the road from *Tucker's Grave*, to the road leading from *Wellow*, to a place known by the name of *The Red Post*, in the county of *Somerset*.

Cap. 54. For amending and widening the road from the city of *York*, to the top of *Oswaldkirk Bank*, and from the said road in *Sutton Field* through *Craike* towards *Oulston*, to the extent of the lordship of *Craike*, in the county of *York*.

Cap. 55. For amending the road from *Christopher's Bridge*, in the borough of *Thetford*, in the county of *Suffolk*, to the north east end of the town of *Newmarket*, in the county of *Cambridge*.

Cap. 56. To explain, amend, and render more effectual, and to enlarge the term and powers granted by an act passed in the twenty second year of the reign of his late Majesty, so far as the said act relates to the repairing and widening the road from the town of *Kingslon upon Thames*, in the county of *Surrey*, to a place called *Sheet Bridge*, near *Petersfield*, in the county of *Southampton*.

Cap. 57. For the better supplying the town of *Dunbar* with fresh water.

Cap. 58. For taking down the present shire-house in the market-place of the town of *Hertford*, in the county of *Hertford*; and for building a new one on a more extensive and commodious plan in the market-place of the said town.

Cap. 59. For repairing several roads leading through the county of *Selkirk*.

Cap. 60. For repairing several roads leading through the county of *Roxburgh*.

Cap. 61. For repairing and widening the road from the *Mayor's Stone* in *Abingdon*, in the county of *Berks*, through *Cumner*, to the ancient horse road at *Swinford* in the said county.

Cap. 62. For the better paving and cleansing the streets, and other publick passages in the town of *Portsmouth*, in the county of *Southampton*; and for preventing nufances and annoyances therein; and for widening and rendering the same more commodious.

Cap. 63. For making and maintaining a navigable cut or canal from the firth or river of *Forth*, at or near the mouth of the river of *Carron*, in the county of *Stirling*, to the firth or

river of *Clyde*, at or near a place called *Dalmuir Burnfoot*, in the county of *Dumbarton*; and also a collateral cut from the same to the city of *Glasgow*; and for making a navigable cut or canal of communication from the port and harbour of *Borrowstounness*, to join the said canal at or near the place where it will fall into the firth of *Forth*.

PRIVATE ACTS.

1. AN act for dividing and inclosing the open and common fields and meadows of *Stow*, within the parish of *Threethingham*, in the county of *Lincoln*.

2. An act to enable *James Shuttleworth* the younger esquire, and his issue, to take and use the surname and arms of *Holden*, pursuant to the will of *Robert Holden* esquire, deceased.

3. An act to enable *John Swinfen* (lately called *John Grundy*) and his issue, to take and use the surname and arms of *Swinfen*.

4. An act to enable the reverend *Ralph Drake* clerk, and his issue, to take and bear the surname and arms of *Brockman*, pursuant to the will of *James Brockman* esquire, deceased.

5. An act for naturalizing *William Aubert*.

6. An act for naturalizing *Dirk Willem Van Dam*.

7. An act for naturalizing *John Francis Rossier*, *Charles Augustus Rodolph Lewis de Willermim*, *Nicholas Freeze*, *John James Schlappfer*, and *Lewis Repinder*.

8. An act for dividing and inclosing the open and common fields, common meadows, common pastures, and other commonable lands and grounds, in the parish of *Loughton*, in the county of *Bucks*.

9. An act for continuing, establishing, and confirming, the surname and arms of *Wallinger*, unto *John Wallinger* formerly called *John Arnold*, and his issue, pursuant to the will of *John Wallinger*, his late uncle, deceased.

10. An act to enable *Judith Paul*, and her issue, to use and take the name of *Saint Paul*.

11. An act for naturalizing *David Peyer Imhoff*.

12. An act for dividing and inclosing several open fields and commons, within the lordship or liberty of *Rempstone*, in the county of *Nottingham*.

13. An act for dividing and inclosing the open and common fields, meadows, and pastures, within the township of *Hottham*, in the east riding of the county of *York*.

14. An act for dividing and inclosing the open and common fields, common meadows, and commonable lands, on the south and west parts of the river *Leam*, in the manor and parish of *Lemington Priors*, in the county of *Warwick*.

15. An act for dividing and inclosing the open and common fields, meadows, and common fen, within the parishes of *Billingborough* and *Birtborpe*, in the county of *Lincoln*; and for draining and improving the said fen.

16. An

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16. An act for dividing and inclosing the open and common fields, common pastures, commons, and wastes, within the township of *Millington*, in the county of *York*.

17. An act for dividing and inclosing the several open fields, lands, grounds, meadows, pastures, commons, and wastes, within the township of *Bridlington*, in the east riding of the county of *York*; and for extinguishing the right of common, or average, upon certain ancient inclosures, within the same township.

18. An act for dividing and inclosing the common fields, meadow grounds, sheep downs, commons, common heaths, and other waste grounds, in the in-parish of *Winfrith Newburgh*, in the county of *Dorset*.

19. An act for dividing and inclosing the several open common fields, meadow grounds, heath, and commonable lands, in the parish of *Ketton*, in the county of *Rutland*.

20. An act for dividing and inclosing the open common fields, marshes, waste grounds, commons, carrs, pasture, and moor, within the manor of *Hook*, in the parish of *Snaith*, in the county of *York*; and for maintaining the banks within the said manor and township.

21. An act for dividing and inclosing the several commons, common heaths, and waste grounds, in the manor of *Morden*, in the county of *Dorset*.

22. An act for dividing and inclosing several stinted pastures within the township of *Litton*, in the parish of *Arncliffe*, in the county of *York*.

23. An act for dividing and inclosing the common and waste ground, within the township and manor of *Cononby*, in the parish of *Kildwick*, in the west riding of the county of *York*.

24. An act for dividing and inclosing the several open and common fields, within the manor or lordship of *Tilsworth*, in the county of *Bedford*.

25. An act for dividing and inclosing the open and common fields, common meadows, common pastures; and other commonable lands and grounds, in the parish of *Woughton on the Green*, in the county of *Bucks*.

26. An act to dissolve the marriage of *Thomas Brooke* doctor in physic, with *Harriet Neltborpe*, his now wife; and to enable him to marry again; and for other purposes therein mentioned.

27. An act for exemplifying or inrolling an indenture of settlement of *Elizabeth Bridges*, and the will and codicils of of *Brooke Bridges* esquire; and making the same evidence, as well in *Ireland* as *Great Britain*.

28. An act to enable *Thomas Killborn*, and his issue male, to take and use the surname of *Burrowes*, pursuant to the will of *John Burrowes*, deceased.

29. An act to enable *Thomas Jenner*, an infant, and his issue, to take and use the surname of *Worge* only, pursuant to the will of *George Worge*, deceased.

30. An act to enable the most noble *John duke of Bedford*,
and

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and the most honourable *Elizabeth* marchioness of *Tavistock*, and the survivor of them, and such person or persons as they, or the survivor of them, shall, by any deed or writing, or by his or her last will and testament, nominate or appoint, to make leases of the real estates, late of the most honourable *Francis Russell*, called *Marquis of Tavistock*, deceased.

31. An act for vesting several undivided parts of divers baronies, lands, and hereditaments, late the estate of *Brice Fisher* esquire, deceased, situate in the provinces of *South Carolina* and *Georgia in America*, in trustees, to be sold, and discharged of the uses of the will of the said *Brice Fisher*; and for vesting the money arising by such sale in the purchase of lands and hereditaments, in that part of *Great Britain* called *England*, to be settled to the uses of the said will.

32. An act for establishing and confirming articles of agreement, dated 31st of *March*, one thousand seven hundred and sixty seven, between the honourable *William Edwardes*, *Rowland Edwardes*, *John Owen Edwardes*, esquires, and the right honourable *Henry* lord *Holland*, concerning the manor of *Abbots Kensington*, and divers messuages, lands, and hereditaments, in the parish of *Kensington*, in the county of *Middlesex*; and for vesting such manor, lands, and hereditaments, in trust, to sell and convey the same to the said *Henry* lord *Holland*; and for other purposes therein mentioned.

33. An act for vesting an undivided moiety of certain manors, messuages, lands, tenements, and hereditaments, situate and being in the county of *Berks*, late the estate of *Charles* lord viscount *Fane*, deceased, and which, upon his death, became vested in possession, in *Dorothy* countess of *Sandwich*, in trustees, and their heirs, in trust, to be sold; and for applying the money to arise by the sale thereof in the manner therein mentioned.

34. An act to enable *William Tufnell Joliffe* esquire, lord of the manor of *Barners*, otherwise *Barnersbury*, in *Islington*, in the county of *Middlesex*, to grant building leases of the demesne lands thereto; and to rate and assess fines on certain copyhold lands, within the said manor, for encouraging the tenants to build thereon.

35. An act for sale of the freehold estate, late of *Roger Drake* esquire, deceased; and for laying out the money arising thereby for the benefit of *Roger Drake*, an infant, his eldest son and heir at law.

36. An act for making a building, intended for a chapel, lately erected by *William Wright* esquire, in the township of *Stockport*, and county and diocese of *Chester*, a perpetual cure and benefice; and for endowing the same.

37. An act for dividing and inclosing the common and heath, called *Navestock Common and Heath*, within the manors of *Navestock* and *Lofthall*, in the county of *Essex*.

38. An act for selling part of a green, called *Nun's Green*, in the borough of *Derby*, in the county of *Derby*, and for applying the money arising from the sale thereof, in the improvement

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ment of the remaining part of the said green; and for other purposes therein mentioned.

39. An act for dividing and inclosing certain open common fields, lands, and grounds, in *Welwick* and *Weeton*, in the parish of *Welwick*, in *Holderness*, in the east riding of the county of *York*.

40. An act for dividing and inclosing the several fields, meadows, waste, and other commonable lands, lying within the manor or liberty of *Little Sheepy*, in the county of *Leicester*.

41. An act for dividing and inclosing the open common fields, meadow grounds, and common fen, in the parish of *Morton*, in the county of *Lincoln*, and for draining and improving the said fen.

42. An act for dividing and inclosing several open and common fields, meadows, and commons, within the lordship or liberty of *Ashby de la Zouch*, in the county of *Leicester*.

43. An act for dividing and inclosing the open fields, meadows, pastures, and commonable lands, in the parish of *Wiltoughton*, in the county of *Lincoln*.

44. An act for dividing and inclosing the commons, waste grounds, open fields, common meadows, and common pastures, in the liberty of *Littleover*, within the parish of *Mickleover*, in the county of *Derby*.

45. An act for dividing and inclosing the open commons, and town fields, within the township of *East Ayton*, in the parish of *Seamer*, in the county of *York*.

46. An act for dividing and inclosing the open fields, common meadows, and common pastures, in the parish of *Normanton next Derby*, in the county of *Derby*.

47. An act for draining and preserving certain fen lands and low grounds, in the parishes of *Lakenbeath* and *Brandon*, in the county of *Suffolk*.

48. An act for dividing and inclosing the common fields, and other commonable lands and grounds, in the parishes of *Lilley* and *Offley*, in the county of *Hertford*, except a certain sheep down, commonly called *Lilley Hoo*, in the parish of *Lilley*, and certain lands, part of the said common fields, lying south east of *West Lane End*, the *Mill House*, and *Cold's Cross*, and north east of the town of *Offley*.

49. An act for dividing and inclosing the open fields, lands, and grounds, within the township of *North Burton*, otherwise *Burton Flemming*, in the county of *York*.

50. An act for dividing and inclosing the open fields, meadows, and commonable lands, within the liberties of *Epperstone*, in the county of *Nottingham*.

51. An act for dividing and inclosing several commons, and waste grounds, within the manor of *Wavertree*, in the parish of *Childwall*, in the county palatine of *Lancaster*.

52. An act for dividing and inclosing the open fields, meadows, common pastures, and other commonable lands, within

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the parish and liberties of *Burton Joyce* and *Bulcoate*, in the county of *Nottingham*.

53. An act for making the exemplification of the last will of *Richard Fitz Gerald* esquire, deceased, evidence in all courts of law and equity in *Great Britain* and *Ireland*.

54. An act to enable *Reynold Thomas*, an infant, and his heirs, to take and use the surname of *Deere*, pursuant to the will of *Reynold Deere*, deceased.

55. An act for enabling and empowering the mayor and commonalty and citizens of the city of *London*, and their successors, to sell and convey to the right honourable *George* earl of *Pomfret*, the lordship and manor of *Oxenforde*, with the messuages, lands, and hereditaments, thereto belonging; and for applying the purchase-money to the purposes therein mentioned.

56. An act for the more effectually carrying into execution an act made in the sixth year of the reign of his present Majesty intituled *An act for vesting in trustees, the settled estate of Washington earl Ferrers in the county of Derby*, to be sold for satisfying the incumbrances and portions affecting the same, and the rest of his settled estates; and for other purposes therein mentioned.

57. An act for rectifying a mistake in the name of one of the trustees in the settlement made of the estates of the right honourable *William* earl of *Harrington*, previous to his marriage with the right honourable *Caroline* countess of *Harrington* his wife.

58. An act to subject and charge a competent part of the manor and lordship of *Tottenham Hall*, otherwise *Tottenham Court*, in the county of *Middlesex*, and of the lands and hereditaments thereunto belonging, with the payment of a perpetual yearly rent-charge to doctor *Richard Browne*, and his successors; and for divesting the fee-simple and inheritance of the said premises out of him and his successors; and for vesting the same in trustees, to the use of *Charles Fitzroy* esquire, and *Ann* his wife, and their issue, with such powers and authorities as therein are mentioned.

59. An act for vesting in trustees, and their heirs, an intailed estate, in the county of *Lincoln*, of sir *Thomas Gage* baronet, dame *Lucy* his wife, and their issue, in order that the same may be sold, and the purchase-money applied for the purposes in the said act mentioned; and for settling an estate, in the county of *Suffolk*, of the said sir *Thomas Gage*, of greater value, in lieu thereof.

60. An act for vesting the settled estate of *William Nedham* esquire, in the island of *Jamaica*, in trustees, for the purposes therein mentioned.

61. An act for vesting part of the settled estate of the honourable and reverend *James Yorke*, and *Mary* his Wife, situate in *Arlington Street*, in the county of *Middlesex*, in trustees, to be conveyed pursuant to articles entered into for sale thereof; and for laying out the money, thereby stipulated to be paid, in the purchase of other lands, to be settled to the same uses.

62. An act for confirming and carrying into execution an agreement, dated the twenty sixth day of *December*, in the year
one

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one thousand seven hundred and sixty seven, between *Walter Waring* esquire, and the right honourable *Robert* lord *Clive*; and for vesting certain estates, in the counties of *Salop* and *Montgomery*, in certain trustees, and their heirs, for that purpose.

63. An act for vesting certain lands and hereditaments, in the parish of *Warfield*, in the county of *Berks*, with the appurtenances, in *John Hart Cotton* of *Warfield* aforesaid esquire; and for settling and assuring, in lieu thereof, a rent-charge of greater value, to be issuing out of part of the said land and hereditaments, and also out of a capital messuage and lands in the said parish of *Warfield*, and in the parish of *Binsfield*, in the same county, or one of them, belonging to the said *John Hart Cotton*, for the purposes in the act mentioned.

64. An act for empowering trustees, during the respective minorities of the four infant sons of *Thomas Hawkins* esquire, deceased, to make leases of estates, in the county of *Cornwall*, to which they are successively intitled, as tenants in tail, under the will of *Philip Hawkins* esquire, deceased; and for other the purposes mentioned.

65. An act for vesting certain undivided shares, belonging to *Mary Wright*, an infant, of and in several messuages, tenements, and lands, in the county of *Lancaster*, in trustees, to be sold; and for laying out the money, arising from the sale thereof, in the purchase of other lands, to be settled to the use of the said infant, and her heirs, on the part of her mother; and for other purposes therein mentioned.

66. An act for dividing and inclosing the common fields, and other commonable lands and grounds, in the parish of *Shipton upon Charwell*, in the county of *Oxford*.

67. An act for dividing and inclosing the open arable fields, meadows, pastures, commons, and grounds, within the township of *Snainton*, in the parishes of *Brompton* and *Ebberston*, in the north riding of the county of *York*.

68. An act for dividing and inclosing the open and common fields, cow pastures, and other commons, and commonable lands, in the parish of *Teynton Supra*, within the manor of *Horn-castle*, in the county of *Lincoln*.

69. An act to enable the right honourable *James Greenville*, the right honourable *Isaac Barre*, and the right honourable *Richard Rigby*, to take in *Great Britain*, the oath of office, as vice treasurer and receiver general and paymaster general of all his Majesty's revenues in the kingdom of *Ireland*, and to qualify themselves for the enjoyment of the said offices.

70. An act to dissolve the marriage of *Frederick* lord viscount *Belingbroke*, with lady *Diana Spencer* his now wife, and to enable him to marry again; and for other purposes therein mentioned.

71. An act to dissolve the marriage of *Charles Daly* esquire, with *Anne Statia Daly* his now wife, and to enable him to marry again; and for other purposes therein mentioned.

72. An act for naturalizing *Lawrance Laforest*.



A
T A B L E
OF THE
S T A T U T E S
PUBLICK and PRIVATE,

Passed *Anno octavo*

GEORGII III. *Regis*:

In the First Session of the Thirteenth Parliament of
Great Britain.

PUBLICK ACT.

Cap. I. **F**OR further continuing certain laws to prohibit, for a limited time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat-flour; for further allowing the importation of wheat and wheat-flour, barley, barley-meal, and pulse, free of duty, into this kingdom, from any part of *Europe*; and for allowing the importation of oats and oat-meal, rye and rye-meal, into this kingdom, for a limited time, free of duty; and also for continuing such other laws as will expire before the beginning of the next session of parliament.

PRIVATE ACT.

I. An act for naturalizing *John Daniel Leautier*.

in the county of Wilts; and for amending the said acts, and reducing them into one act of parliament.

C A P. XLIX.

An act to enlarge the term and powers of an act made in the twenty fifth year of the reign of his late majesty King George the Second, for repairing the road from The Green Man in the chapelry of Seend, in the county of Wilts, to Beckington, in the county of Somerset; and for repealing so much of an act made in the same year for repairing several roads in the counties of Wilts and Somerset, as relates to the road from a place in Trowle Bridge Lane, to Misford, and from Freshford to Hall's Close in Limpsey Stoke; and for amending the said roads, and also several other roads leading from or near the roads included in the said acts.

C A P. L.

An act for repairing, widening, turning, and altering, the road leading from Reading, in the county of Berks, through Henley, in the county of Oxford, and Great Marlow, Chipping Wycombe, Agmondesham, and Cheynes, in the county of Bucks, and Rickmanstown, Watford, and Saint Alban's, to Hatfield, in the county of Hertford; and also the road leading out of the said road at Marlow, over Great Marlow Bridge, through Bytham, to or near the thirty mile stone in the turnpike road leading from Maidenhead to Reading.

C A P. LI.

An act for amending and widening several roads leading from the town of Bishop's Castle, and from Montgomery, to the turnpike road at Westbury, and from Brocton, to the turnpike road at Minsterly, in the several counties of Salop, Radnor, and Montgomery.

C A P. LII.

An act for repairing and widening the road from the way post in the parish of Hardington, in the county of Northampton, to Old Straford, in the said county.

C A P. LIII.

An act for repairing and widening the road from Buckland Dinham, to the end of the parish of Timsbury; and also the road from Midsummer Norton, to the end of the parish of Norton Saint Philips; and also the road from Tucker's Grave, to the road leading from Wellow, to a place known by the name of The Red Post, in the county of Somerset.

C A P. LIV.

An act for amending and widening the road from the city of York, to the top of Oswaldkirk Bank, and from the said road in Sutton Field through Craike, towards Oulston, to the extent of the lordship of Craike, in the county of York.

C A P. LV.

An act for amending the road from Christopher's Bridge, in the borough of Thetford, in the county of Suffolk, to the north east end of the town of Newmarket, in the county of Cambridge.

C A P. LVI.

An act to explain, amend, and render more effectual, and to enlarge the term and powers granted by an act passed in the twenty second year of the reign of his late Majesty, so far as the said act relates to the repairing and widening the road from the town of Kingston upon Thames, in the county of Surrey, to a place called Sheet Bridge, near Petersfield, in the county of Southampton.

C A P. LVII.

An act for the better supplying the town of Dunbar, with fresh water.

C A P. LVIII.

An act for taking down the present shire-house in the market-place of the town of Hertford, in the county of Hertford; and for building a new one on a more extensive and commodious plan in the market-place of the said town.

C A P. LIX.

An act for repairing several roads leading through the county of Selkirk.

C A P. LX.

An act for repairing several roads leading through the county of Roxburgh.

C A P. LXI.

An act for repairing and widening the road from the Mayor's stone in Abingdon, in the county of Berks, through Cummer, to the ancient horse road at Swinford in the said county.

C A P. LXII.

An act for the better paving and cleansing the streets, and other publick passages in the town of Portsmouth, in the county of Southampton; and for preventing nuisances and annoyances therein; and for widening and rendering the same more commodious.

C A P. LXIII.

An act for making and maintaining a navigable cut or canal from the firth or river of Forth, at or near the mouth of the river of Carron, in the county of Sterling, to the firth or river of Clyde, at or near a place called Dalmuir Burnfoot, in the county of Dumbarton; and also a collateral cut from the same to the city of Glasgow; and for making a navigable cut or canal of communication from the port and harbour of Borrowstounness, to join the said canal at or near the place where it will fall into the firth of Forth.



A
T A B L E
OF THE
S T A T U T E S
P U B L I C K and P R I V A T E,

Passed *Anno nono*

GEORGII III. *Regis.*

Being the Second Session of the Thirteenth Parliament of
Great Britain.

P U B L I C K A C T S.

Cap. 1. **T**O prohibit, for a further time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch; and also the extraction of low wines and spirits from wheat and flour.

Cap. 2. For continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty nine.

Cap. 3. For punishing mutiny and desertion; and for the better payment of the army and their quarters.

Cap. 4. To allow for a further time the free Importation of rice into this kingdom, from his Majesty's colonies in *North America.*

Cap. 5. For granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and sixty nine.

Cap. 6. For the more effectually preventing the clandestine importation of foreign spirits; and for explaining such part of an act made in the fifth year of the reign of his present Majesty, as relates to the penalties inflicted upon persons selling ale, beer,

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* 2

or

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or other exciseable liquors by retail, without licence; and for taking away certain powers granted by former acts, for punishing persons convicted of retailing spirituous liquors without licence.

Cap. 7. For the regulation of his Majesty's marine forces while on shore.

Cap. 8. For repairing, improving, and better preserving of the harbour and quay of *Wells*, in the county of *Norfolk*.

Cap. 9. To continue an act made in the eighth year of the reign of his present Majesty, intituled, *An act to continue and amend an act made in the fifth year of the reign of his present Majesty*, intituled, An act for importation of salted beef, pork, bacon, and butter, from *Ireland*, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the *British* dominions in *America*, for a limited time.

Cap. 10. For the better paving, cleansing, lighting, and watching, the streets and lanes in the parish and borough of *New Windsor*, in the county of *Berks*, and for preventing nuisances and annoyances therein.

Cap. 11. For repealing so much of an act made in the seventh and eighth years of the reign of King *William* the Third, intituled, *An act to encourage the bringing plate into the mint to be coined, and for the further remedying the ill state of the coin of the kingdom*, as restrains any person keeping an inn, tavern, alehouse, or victualling-house, or selling wine, ale, beer, or any other liquors, by retail, from publicly using any wrought or manufactured plate, or any utensil or vessel thereof, except spoons; and for putting an end to prosecutions commenced for offences against such part of the said act.

Cap. 12. To indemnify such persons as have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose; and to indemnify members, and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid, and for allowing them time to provide admissions duly stamped.

Cap. 13. For the better paving, cleansing, lighting, and watching, the liberty of *St. Martin le Grand*, within the city and liberty of *Westminster*, in the county of *Middlesex*; and for preventing obstructions and annoyances therein.

Cap. 14. For appointing commissioners for putting in execution an act of this session of parliament, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and sixty nine*; and for securing and preserving duplicates of assessments, and other papers relating to the land tax.

Cap. 15. For raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and sixty nine.

Cap. 16. To amend and render more effectual an act made in

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in the twenty first year of the reign of King *James the First*, intituled, *An act for the general quiet of the subjects against all pretences of concealment whatsoever.*

Cap. 17. For enabling his Majesty to licence a playhouse in the city of *York*; and in the town and county of the town of *Kingston upon Hull*.

Cap. 18. For amending and further continuing an act of the sixth year of his present Majesty's reign, intituled, *An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.*

Cap. 19. To empower the high court of *Chancery* to lay out, upon government securities, a further sum of money, not exceeding a sum therein limited, out of the common and general cash in the bank of *England* belonging to the suitors of the said court; and to apply the interest arising therefrom towards answering the charges of the office of the accountant general of the said court.

Cap. 20. To enable the justices of the peace in the general quarter sessions of their respective counties and divisions to repair the shire halls, county halls, or other buildings, wherein the assizes or grand sessions are usually held.

Cap. 21. For the more effectual paving, cleansing, lighting, and watching, the streets, lanes, alleys, and publick passages, in the town of *Gainsburgh*, in the county of *Lincoln*; and for laying a duty on all coals brought to the said town to be sold, and for applying the same to such purposes.

Cap. 22. To amend, and render more effectual an act passed in the seventh year of his present Majesty, intituled, *An act for paving the streets, and other places, in that part of the parish of Saint Botolph Aldgate which lies in the county of Middlesex; and part of a street, called East Smithfield, in the precinct of Saint Catherine; and for cleansing, lighting, and watching the same, and preventing obstructions and annoyances therein.*

Cap. 23. To amend and render more effectual an act of the twenty eighth of his late Majesty, for the better enlightening and cleansing the open places, squares, streets, lanes, alleys, passages, and courts, within the parish of *Saint Bartholomew the Great, London*, and regulating the nightly watch and beades within the said parish; and for empowering the trustees, in the said act named, to pave the said streets and other places within the said parish, and to remove annoyances and obstructions.

Cap. 24. For carrying into execution certain proposals made by the *East India* company for the payment of the annual sum of four hundred thousand pounds, for a limited time, in respect of the territorial acquisitions and revenues lately obtained in the *East Indies*.

Cap. 25. For making perpetual an act made in the first year of the reign of his present Majesty, intituled, *An act to continue the duties for encouragement of the coinage of money.*

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Cap. 26. For the relief of insolvent debtors.

Cap. 27. To continue certain laws therein mentioned, for granting, for a limited time, a liberty to carry rice from his Majesty's provinces of *South and North Carolina and Georgia*, directly to any part of *America* to the southward of the said provinces, subject to the like duty as is now paid on the exportation of rice from the said colonies to places in *Europe* situate to the southward of *Cape Finisterre*.

Cap. 28. To permit the inhabitants of *Jersey and Guernsey* to export directly from thence to *Newfoundland*, or the *British colonies in America*, goods necessary for the fishery, under certain restrictions; and to import from thence non-enumerated goods (except rum) and to land the same in the said islands.

Cap. 29. For the more effectual punishment of such persons as shall demolish or pull down, burn, or otherwise destroy or spoil, any mill or mills; and for preventing the destroying or damaging of engines for draining collieries and mines; or bridges, waggon ways, or other things used in conveying coals, lead, tin, or other minerals, from mines; or fences for inclosing lands in pursuance of acts of parliament.

Cap. 30. For repealing so much of an act passed in the tenth year of her late Majesty *Queen Anne* as relates to the harbour moorings of the royal navy; and for the more effectual preservation of such harbour moorings; and punishment of persons guilty of stealing or embezzling his Majesty's naval stores; or of forgery or perjury in relation to seamens wages.

Cap. 31. For the establishing and well governing an hospital for the reception, maintenance, and employment, of penitent prostitutes; and for extinguishing the right of common of and in certain lands in *Saint George's fields*, in the county of *Surrey*.

Cap. 32. For paving, cleansing, lighting, and watching, the high streets and lanes in the parish of *Saint Nicholas* within the city of *Rocheſter* and parish of *Strood* in the county of *Kent*; and for making a road through *Star Lane*, across certain fields adjoining thereto, to *Chatham Hill* in the said county.

Cap. 33. For granting to his Majesty a certain sum of money to be raised by a lottery.

Cap. 34. For granting to his Majesty a certain sum of money out of the sinking fund; and for applying a certain sum therein mentioned, for the service of the year one thousand seven hundred and sixty nine; and for further appropriating the supplies granted in this session of parliament.

Cap. 35. For discontinuing, upon the exportation of iron imported in foreign ships, the drawback of such part of the duties payable thereon as exceeds the duties payable upon iron imported in *British* ships; to prohibit the exportation of pig and bar iron, and certain naval stores, unless the preemption thereof be offered to the commissioners of the navy; to repeal so much of an act made in the sixth year of his present Majesty's reign, as discontinued the drawback upon foreign rough hemp exported;
for

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for providing a compensation to the clerks in the offices of the principal secretaries of state, for the advantages such clerks enjoyed before the commencement of an act, made in the fourth year of the reign of his present Majesty, for preventing frauds and abuses in relation to the sending and receiving letters and packets free from the duty of postage; and to explain and amend the said act.

Cap. 36. For applying certain monies therein mentioned, for the service of the year one thousand seven hundred and sixty nine.

Cap. 37. For reviving several acts for preventing abuses in making bricks and tiles; and for indemnifying justices of the peace, and others, who have acted under the said acts; and for indemnifying persons who have omitted to make and file affidavits; and for allowing further time for paying duties omitted to be paid upon contracts with clerks and apprentices; for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders, lost, burnt, or destroyed; and for repaying to *Joseph Glover* and *John Bill* the duty by them paid on a cargo of wheat, and for allowing the same to be landed for home consumption; and for preventing parish poor being paid in base or counterfeit coin.

Cap. 38. For further encouraging the growth and culture of raw silk in his Majesty's colonies or plantations in *America*.

Cap. 39. To permit the free importation of certain raw hides and skins from *Ireland* and the *British* plantations in *America*, for a limited time; and for taking off the duties upon seal skins tanned or tawed in this kingdom, and for granting another duty in lieu thereof; for indemnifying all persons with respect to advising or executing any of his Majesty's orders of council prohibiting the importation of raw hides, horns, and hoofs, of infected cattle; and to authorize the prohibition of the importation of such hides, horns and hoofs, for the future.

Cap. 40. For defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, beginning the twenty fifth day of *March*, one thousand seven hundred and sixty nine.

Cap. 41. For better securing the duties of customs upon certain goods removed from the out ports and other places to *London*; for regulating the fees of the officers of his Majesty's customs in the province of *Senegambia* in *Africa*; for allowing to the receivers general of the duties on offices and employments in *Scotland*, a proper compensation for their trouble and expences; for the better preservation of hollies, thorns, and quicksets, in forests, chases, and private grounds, and of trees and underwoods, in forests and chases; and for authorizing the exportation of a limited quantity of an inferior sort of barley, called *Bigg*, from the port of *Kirkwall* in the islands of *Orkney*.

Cap. 42. For explaining, amending, and continuing, an act made in the second year of the reign of his present Majesty, intituled, *An act to explain, amend, and reduce into one act of parliament,*

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ament, the several laws now in being, relating to the raising and training the militia within that part of Great Britain called England.

Cap. 43. For repairing and widening the roads from the turnpike road at *Golford Green*, in the parish of *Cranbrooke*, to the turnpike road in the parish of *Sandhurst*, and from the green near *Benenden Church*, to *The Bull Inn* at *Rolvenden Cross* in the county of *Kent*.

Cap. 44. For erecting a market house, and holding a market in the town of *Taunton*, in the county of *Somerset*; and for preventing the holding of any market in the streets of the said town; and for cleansing the streets, and preventing nuisances and obstructions therein, and for lighting certain streets in the said town.

Cap. 45. For repairing the road from the turnpike-gate in the township of *Greenfield*, to the north limits of the township of *Messlyn*, and from *Moslyn* to *Henllan*, and from *Llanerch y Mor* to *Pen y Ffordd Wain*, in the counties of *Flint* and *Denbigh*.

Cap. 46. For repairing the road from the town of *Denbigh*, to the turnpike road between *Northop* and *Holywell*; and from *Avon Wen*, to the town of *Mold*, in the counties of *Denbigh* and *Flint*.

Cap. 47. For amending, widening, altering, clearing, and keeping in repair, several roads leading from the borough of *Dorchester*, in the county of *Dorset*; and for repealing so much of an act passed in the sixth year of his present Majesty's reign, as relates to the repairing the road leading from *Wool*, to the said borough.

Cap. 48. To enlarge the term and powers of an act passed in the sixteenth year of King *George the Second*, for repairing the roads from *Marlborough* to *Shepherd's Shord*; and from *Beckampton* to the top of *Cherill Hill*; and from *Avebury* to *Beckhampton*, in the county of *Wilt*; and for repairing and widening the road from the turnpike gate at *Avebury* to *Wroughton*; and from the north side of *Swindon* to the *Carpenters Arms* in *Blunsden*, in the said county.

Cap. 49. For repairing and widening the road leading from *Mereworth Cross*, to the road leading from *Seal* to *Wrotham Heath*; and also the said road from opposite the house of *William Dalison* esquire, to *Hadlow Street* in the county of *Kent*.

Cap. 50. To enlarge the term and powers of an act made in the thirty third year of King *George the Second*, for repairing and widening the road from *Gloucester*, towards *Hereford*, and other roads therein mentioned; and for amending several other roads near or adjoining to some of the said roads.

Cap. 51. For enlarging the term and powers granted by an act passed in the seventeenth year of the reign of his late Majesty, for repairing and widening the road leading from a place called *Harlow Bush Common*, in the parish of *Harlow*, in the county of *Essex*, to *Stump Cross*, in the parish of *Great Chesham*, in the said county.

Cap.

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Cap. 52. To continue the term and enlarge the powers of so much of an act made in the seventeenth year of the reign of his late Majesty, as relates to the road from the town of *Buckingham*, in the county of *Bucks*, to the north extent of the parish of *Hanwell*, in the county of *Oxford*, leading towards *Warmingtton Gate*.

Cap. 53. To rectify a mistake in an act passed in the eighth year of his present Majesty, intituled, *An act for making and maintaining a navigable cut or canal, from Birmingham to Billstone, and from thence to Autherley, there to communicate with the canal now making between the rivers Severn and Trent; and for making collateral cuts up to several coal mines; and to explain and amend the said act.*

Cap. 54. For enlarging the term and powers of an act made in the twenty fifth year of his late Majesty, for repairing and widening the roads from the east end of *Monk Bridge*, near the suburbs of the city of *York*, to *New Malton*, and from thence to *Scarborough*, in the *North Riding* of the county of *York*; and also from *Spittle House*, in the *East Riding* of the said county to *Scarborough* aforesaid.

Cap. 55. For repairing and widening the road from the end of the turnpike road in *Shawbury*, in the county of *Salop*, to *Drayton in Hales*, in the said county; and from thence to *Newcastle under Line*, in the county of *Stafford*; and from *Shawbury* aforesaid, to the turnpike road in *High Ercall*, in the said county of *Salop*; and from *Shawbury* aforesaid to *Wem*, in the said county; and from thence to the turnpike road in *Sandferd*, in the said county.

Cap. 56. For repairing and widening several roads in the counties of *Montgomery*, *Merioneth*, and *Salop*.

Cap. 57. For continuing two acts made in the sixth year of King *George the First*, and in the seventh year of his late Majesty, for laying a duty of two pennies *Scots*, or one sixth part of a penny *Sterling*, upon every pint of ale or beer that shall be vended or sold within the town of *Monroise* and privileges thereof, for supplying the said town with fresh water, and for other purposes therein mentioned.

Cap. 58. For repairing the road from the town of *Cirencester*, in the county of *Gloucester*, to the tenth mile stone from *Cirencester* at or near the east end of the town of *Tetbury*, and from the west end of the churchyard in the said town of *Tetbury* to a gate in the said county near *The Monument* upon *Lansdown*.

Cap. 59. To empower the right honourable Sir *Henry Cavendish*, baronet, to shut up certain roads and a foot path in the parish of *Doveridge*, in the county of *Derby*; and to oblige him to make and keep in repair for the future a new road and foot path in lieu thereof.

Cap. 60. To enable *Edward Byrom* esquire to complete a building intended for a new church in the town of *Manchester*, and for making the same a perpetual cure and benefice; and for other purposes.

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Cap. 61. For raising money to discharge debts contracted for rebuilding the parish church and tower of *Saint Nicholas*, in the city of *Bristol*; and to rebuild the spire, and compleat the said church; and for other purposes.

Cap. 62. To rebuild the shire-hall of the county of *Nottingham*; and for using the guild-hall of the town and county of the town of *Nottingham* for the purposes of a shire-hall in the mean time.

Cap. 63. To enlarge the term and powers of two acts passed in the tenth year of King *George* the First, and the sixteenth year of his late Majesty, for repairing the road from the north part of *Harlow Bush Common*, in the parish of *Harlow*, to *Woodford*, in the county of *Essex*.

Cap. 64. To continue and render more effectual several acts passed in the sixth and twelfth years of King *George* the First, and the twenty eighth year of his late Majesty, for repairing the roads from *Stevenage*, in the county of *Hertford*, to *Biggleswade*, in the county of *Bedford*, and other roads therein mentioned; and for repairing and widening the road from *Radwell Corner* to the turnpike road at *Arlesey*, in the county of *Bedford*.

Cap. 65. To repair and widen the road from the *Broken Cross*, in *Macclesfield*, in the county of *Chester*, over the *Long Moss* and *Monks Heath*, to the turnpike road in *Nether Tabley*, in the said county; and for turning and exchanging part of the said road.

Cap. 66. For repairing and widening the road from the city of *Norwich*, to *Scole Bridge*, in the county of *Norfolk*.

Cap. 67. For repairing and widening the road from *Scole Bridge*, to the place where the east gate lately stood in the town of *Bury Saint Edmunds*, in the county of *Suffolk*.

Cap. 68. For amending the road from *Bishopsgate Bridge*, in the city of *Norwich*, to a stone formerly called the *Two Mile Stone*, where the *Norwich* road joins the *Caister* caufeway, two miles and a half short of the town of *Great Yarmouth*.

Cap. 69. For repairing and widening several roads leading to and through the borough of *Bodmin*, in the county of *Cornwall*.

Cap. 70. For making and maintaining a navigable canal, from the *Coventry* canal navigation to the city of *Oxford*.

Cap. 71. For extending the navigation of the river *Calder* to *Salter Hebble Bridge*, and to *Sowerby Bridge*, in the county of *York*, and for repealing an act for that purpose.

Cap. 72. For the better establishment of the foundation of *John Michel* esquire, in the *Queen's College* in the university of *Oxford*, and for other the purposes therein mentioned.

Cap. 73. To enlarge the term and powers of an act passed in the thirty first year of his late Majesty, for amending the road from *Pengate* to *Latchetts Bridge*, and other roads in the county of *Wilts*; and for amending several roads near adjoining to the said roads.

Cap. 74. For enlarging the term and powers granted by an act of the twenty third year of his late Majesty, for repairing the roads from *Dunglas Bridge*, to the town of *Haddington*, and from

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from thence to *Ravenshaughburn*, in the county of *Haddington*.

Cap. 75. For continuing and rendering more effectual an act for repairing the road from *Bowes* in the county of *York*, to *Brough under Stainmore* in the county of *Westmorland*; and for repairing and widening the road from *Maiden Castle* to *Kaber Cress*, and also the road from *Maiden Castle* to the coal works at *Taylor Rig*, and to *Tan Hill* and *King's Pitts*; and also the road from *Barrow's Brow* to *Middle Fell Dyke Nook*, in the said counties; and also from *Tan Hill* and *King's Pitts* to *Beck Crooks*, and *Punchatt Pasture West Gate* to *Whaw Lane Head*, and by *Lilly Jocks* to *Reeth*.

Cap. 76. To repeal so much of an act passed in the second year of his present Majesty, for repairing and widening the roads from the *White Post* on *Hafelden's Wood*, in the parish of *Cranbrooke*, to *Appledore Heath*, and other roads in the county of *Kent*, as relates to the road from *Goldford Green* to *Tanner's Vent*; for enlarging the term and powers of the said act, with respect to the other roads therein contained; and for amending the road from the turnpike road in the parish of *Tenderden*, through *Rolvenden*, to the turnpike road in the parish of *Newenden*, in the said county.

Cap. 77. For repairing and widening the road leading from *Tal y Cafn Ferry* in the county of *Caernarvon*, and through the towns of *Conway*, *Bangor*, and *Caernarvon*, to the town of *Pwllhely* in the same county.

Cap. 78. For repairing and widening the road from *Maidstone* through *Debtling* to *Key Street*, in the parishes of *Borden* and *Bobbing* in the county of *Kent*.

Cap. 79. For repairing and widening the road from *Beverley* to the ferry at *Hefle*, and from the *Malton* guide post to the gravel pit at *Cottingham*, in the county of *York*.

Cap. 80. For repairing and widening the road from *Cheadle* to *Botham House*, and from thence to *Butterton Moor End*, in the county of *Stafford*.

Cap. 81. For repairing and widening the road from *Darby Moor* in the county of *Derby*, to *Ellaston* in the county of *Stafford*; and from thence to the turnpike road between *Leek* and *Ashborne*, in the said counties of *Derby* and *Stafford*.

Cap. 82. For the more effectual relief of the poor in the county of *Devon*.

Cap. 83. For laying open and widening certain ways and passages within the town of *Birmingham*; and for cleansing and lighting the streets, lanes, ways, and passages there; and for removing and preventing nuisances and obstructions therein.

Cap. 84. For building a bridge at *Worcester*, over the river *Severn*, and opening convenient avenues to the said bridge.

Cap. 85. For building a chapel at *Plymouth Dock*, in the parish of *Stoke Damerell* in the county of *Devon*.

Cap. 86. For repairing the roads leading from the turnpike road in *Tring*, in the county of *Hertford*, through *Dunstable*, *Hitchin*, *Baldock*, and *Roydon*, to the turnpike road at or near *Bourn Bridge*; and from the west end of *Welbury Lane* to the turn-

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turnpike road at the south end of *Barton*, in the counties of *Hertford*, *Bucks*, *Bedford*, and *Cambridge*.

Cap. 87. To continue and render more effectual an act passed in the thirtieth year of his late Majesty, for repairing the road from *Hitchin* in the county of *Hertford*, through *Shefford*, to the turnpike road from *Saint Albans* to *Bedford*, and other roads therein mentioned; and for repairing and widening the road from *Shefford* way post, to the turnpike road at *Henlow* in the county of *Bedford*.

Cap. 88. For repairing the road from *Stoney Stratford* in the county of *Bucks*, through the towns of *Buckingham* and *Bicester*, to the town of *Woodstock* in the county of *Oxford*.

Cap. 89. For making a road from the south end of *Blackfriars* bridge to the present turnpike road cross *Saint George's* fields, and from thence to some place at or near the house call *The Dog and Duck*, and to *Newington Butts*, in the county of *Surry*; and for empowering the trustees for carrying into execution an act passed in the twenty fourth year of the reign of his late Majesty, to repair, light, and watch the said roads, when made.

Cap. 90. For enlarging the term and powers of two acts passed in the third and twenty second years of his late Majesty, for repairing the several roads leading into the city of *Hereford*, and for amending the roads to *Lanceloudy Hill* and *Langua Bridge*.

Cap. 91. To explain, amend, and render more effectual, an act passed in the twenty seventh year of King *George the Second*, for repairing and widening the road from *Leicester* to *Narborough*, and from *Leicester* to *Coventry*, and from thence through *Kenilworth* to *Warwick*, and other roads, and for other purposes in the said act mentioned, so far as the same relates to the road from the borough of *Leicester* to the town of *Narborough*, and from *Leicester* to *Hinckley* in the county of *Leicester*.

Cap. 92. To amend an act of the fifth year of his present Majesty's reign, for repairing and widening the road from *Tunbridge* to *Maidstone*, and from *Wat's Cross* to *Cowden*, in the county of *Kent*, so far as the same relates to the repair of the road from *Wat's Cross* to *Cowden*; and for repairing the roads leading from *Sevenoakes Common* to *Crockburst Hatch Corner*, and from *Penshurst* town to *Southborough* in the said county.

Cap. 93. To continue and render more effectual two acts for amending several roads leading from the city of *Exeter*, and for repairing and widening several other roads therein mentioned; and for rebuilding or repairing *Exe Bridge*, and making the avenues leading thereto more commodious; and for building a bridge over the river *Exe*, at or near *Countess Wear* in the county of *Devon*.

Cap. 94. For repealing so much of two several acts of parliament made and passed in the seventeenth and twenty eighth years of the reign of his late Majesty King *George the Second*, as relate to the road from the end of the county of *Stafford* in the post road towards the city of *Chester*, through *Woor*, in the county of *Salop*, to *Nantwich* in the county of *Chester*, and from

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Nantwich to *Tarporley*, and from thence through *Tarvin* in the said county of *Chester* to the said city of *Chester*, and for more effectually repairing, widening, and supporting the same road; and also for repairing and widening the road from *Nantwich*, in the said county of *Chester*, to the cross in *Tarvin* aforesaid.

Cap. 95. To empower the trustees of the will of the late general *Pulteney*, and other trustees appointed by this act, to purchase and exchange lands and grounds, in the manor of *Bathwick* in the county of *Somerset*, for the purpose of making certain roads and ways to and from a free bridge by them intended to be built over the river *Avon* in the said county; and also to empower the persons in possession of the said estate for the time being, under the said will, to grant leases of certain lands and houses in the said manor; and likewise to enable the said trustees to grant certain grounds and springs of water within the said manor of *Bathwick*, to the mayor, aldermen, and citizens of *Bath*; and for extending the jurisdiction of the said mayor, aldermen, and citizens, over part of the said manor of *Bathwick*; and for other purposes therein mentioned.

PRIVATE ACTS.

1. **A**N act for naturalizing *John Dufaur*.
2. An act for dividing and inclosing the common fields, and common grounds, in the township of *Stoney*, in the parish and manor of *Kimbolton*, in the county of *Huntingdon*.
3. An act for dividing and inclosing the open common fields, commonable lands, common, arable, meadow, pasture, and waste grounds, within the parish of *Wilby*, in the county of *Warwick*.
4. An act to enable *Henry Thomas Greening*, esquire, to take and use the surname of *Gott*, pursuant to the will of *Mary Gott*, deceased.
5. An act for naturalizing *George Madras*.
6. An act for naturalizing *John Henry Schneider*.
7. An act for naturalizing *Paul Niedrick*.
8. An act for vesting certain lands, in the parish of *Chislehurst*, in the county of *Kent*, devised by the will of *Thomas Farrington* esquire, deceased, in trustees, to convey the same to *Charles* lord *Camden*; and for settling lands, to be in exchange; and for laying out money arising by sale thereof, in other lands, tenements, and hereditaments, to be conveyed to the same uses.
9. An act for confirming articles of agreement, and for effecting an exchange of lands, between the most noble *George* duke of *Mariborough*, and the warden and scholars of *Merton College* in *Oxford*.
10. An act for appointing jointures for the wives, and providing portions for the younger children, of the right honourable *Willoughby* earl of *Abingdon*, and the honourable *Peregrine Bertie*,

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Bertie, his brother; and for other the purposes therein mentioned.

11. An act to enable *Sir Watkin Williams Wynn* baronet, a minor, to make a settlement on his intended marriage with the lady *Henrietta Somerset*.

12. An act for discharging divers messuages, lands, and hereditaments, part of the estate of *Sir Bellingham Graham* baronet, in the county of *York*, from the uses and trusts limited and declared by the will of the honourable *Mary Graham* deceased; and for settling other lands and hereditaments, other part of the estate of the said *Sir Bellingham Graham*, in the said county, of greater value, in lieu thereof, to the like uses.

13. An act to empower *Richard Garth* esquire, to make leases of his settled estates, in the county of *Surrey*, for building upon and improving the same.

14. An act for vesting certain messuages, lands, and hereditaments, in *Baldock*, in the county of *Hertford*, devised by the will of *Edward Sparhawk* gentleman, deceased, in *Lawndry Sparhawk* esquire, and his heirs, discharged from the uses of the said will; and for substituting and settling an undivided moiety of other lands and hereditaments, in *Hertfordshire*, in lieu thereof, and to the like uses.

15. An act for vesting part of the settled estate of the reverend *William Lloyd* clerk, in trustees, for raising money, to discharge the debts, legacies, and incumbrances, affecting the same; and for other purposes therein mentioned.

16. An act for confirming a partition, between *John Edwards* esquire, *John Freemantle* esquire, and *Frances* his wife, and *Mary Edwards* spinster, of several estates, in the county of *Middlesex*, and city of *Bristol*, devised by the will of *John Schoppens* esquire, deceased; and of the residue of the personal estate of the said *John Schoppens*.

17. An act to enable *Charles Biddulph* esquire, and his three infant sons, *John Biddulph*, *Charles Biddulph*, and *Thomas Biddulph*, to grant leases of certain manors, capital, and other messuages, mansion houses, farms, lands, tenements, and hereditaments, situate in the several counties of *Surrey*, *Sussex*, and *Stafford*, of which they are tenants for life successively.

18. An act for dividing and inclosing the common fields, commons, and waste grounds, in the manor and parish of *Hilborowe*, in the county of *Norfolk*.

19. An act for dividing and inclosing certain open and common fields, common meadows, and other commonable lands and waste grounds, in the parish of *Bledington*, in the county of *Gloucester*.

20. An act for dividing and inclosing an open common, in the parish of *Walburton*, in the county of *Sussex*.

21. An act for dividing and inclosing certain open fields, meadows, ings, and common lands, within the parish of *Elvington*, in the east riding of the county of *York*.

22. An act for dividing and inclosing several common fields, grounds,

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grounds, and pastures, within the parish of *Ingham*, in the county of *Lincoln*.

23. An act for dividing and inclosing several open fields, meadow grounds, and ings, and the moor or common, and waste ground, within the manor and township of *Wheldrake*, in the county of *York*.

24. An act for dividing and inclosing certain open fields, lands, and grounds, within the township of *Saundon*, in the east riding of the county of *York*.

25. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and waste grounds, in the parish of *Eaton*, in the county of *Leicester*.

26. An act for dividing inclosing, and draining, the open fields, meadows, fens, pastures, commons, and waste grounds, in the parish of *North Hickham*, in the county of *Lincoln*.

27. An act for dividing and inclosing the open fields, within the lordship or liberty of *Markfield*, in the county of *Leicester*, and the common ground there, lying within the ring or boundaries of the same fields, or adjoining thereto.

28. An act for dividing and inclosing the open arable fields, meadow grounds, commons, pastures, and other commonable lands and grounds, within the manor or parish of *Grendon Underwood*, in the county of *Buckingham*.

29. An act for dividing and inclosing the common fields, common pastures, waste grounds, and other commonable lands, in the parish of *Shaxton*, otherwise *Shackston*, otherwise *Shackerston*, in the county of *Leicester*.

30. An act for the more effectual draining, embanking, and preserving, certain fen lands, and low grounds, in the hamlet of *Wimblington*, in the parish of *Doddington*, and in the parish of *Chatterers*, within the isle of *Ely*, in the county of *Cambridge*.

31. An act for dividing and inclosing several open fields, common pastures, and open lands and grounds, within the township of *Nafferton* and *Wansford*, in the parish of *Nafferton*, in the east riding of the county of *York*.

32. An act for dividing, inclosing, and allotting, the open fields, lands, and grounds, within the manor, and parish of *Thwing*, in the east riding of the county of *York*.

33. An act for dividing and inclosing the several open fields, lands, meadows, pastures, moors, commons, and other open grounds, within the township of *Atwick*, otherwise *Attenwick*, in *Holderness*, in the county of *York*.

34. An act for dividing and inclosing that part or share of *Belper Ward*, which belongeth to *Highege*, in the county of *Derby*.

35. An act for dividing and inclosing the moor, or common, called *Crosgate Moor*, in the parish of *Saint Oswald*, in the county palatine of *Durham*; and for extinguishing all right of common in certain inclosed intercommon lands there.

36. An act for dividing and inclosing the open and common fields, common pastures, common meadows, and common and waste grounds, in the manor, parish, liberties or precincts of *Cublington*, in the county of *Buckingham*.

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37. An act to enable the reverend *John Wood*, his first and other sons, and their heirs male, to take and use the surname of *Davies*, in pursuance of the will of the reverend *John Davies*, doctor in divinity, deceased.

38. An act to enable *Stephen Payne*, esquire, and his issue, to take, use, and bear the surname and arms of *Gallway*, pursuant to the will of *Tobias Wall Gallway* esquire, deceased.

39. An act for naturalizing *Lewis Diedrick Hesbysen*.

40. An act for naturalizing *Henry Ubthoff*.

41. An act for naturalizing *Peter Rauert*, and *David Lewis Godin*.

42. An act for vesting in *Charles* duke of *Queensberry* and *Dover*, and his heirs, in fee simple, certain lands, part of his entailed estate, in the county of *Dumfries*; and for settling in lieu thereof other lands, lying contiguous to, and interspersed with, the said entailed estate.

43. An act for vesting in trustees, certain timber trees, and other trees, standing and being upon the estates of *Sir Thomas Broughton*, in the counties of *Chester* and *Stafford*; and to enable them to fell, cut down, sell, and dispose of, the same; and to lay out a competent part of the money, arising by the sale thereof, in rebuilding the ancient mansion house of the family, called *Doddington Hall*, in the county of *Chester*, and the necessary offices to be enjoyed therewith; and for other purposes.

44. An act for vesting the settled estate of *Edward Astley* baronet, in the county of *Warwick*; in him, in fee simple, discharged of the uses of the settlement made on his marriage with *Rboda Astley* his former wife, deceased; and for substituting and settling an undivided moiety of other lands and hereditaments, in the county of *Norfolk*, of greater value, in lieu thereof, to the same uses, with such powers as are therein mentioned.

45. An act for vesting part of the settled estates of *John Swinburn* esquire, in the county of *Northumberland*, and town and county of the town of *Newcastle upon Tyne*, in trustees, in trust to sell the same; and to lay out and apply the money to arise by such sale in the purchase of other estates, in the county of *Durham*; and for other purposes therein mentioned.

46. An act for vesting the estates of the honourable *William Noel* esquire, deceased, situate in *Stamford*, in the county of *Lincoln*, in trustees, to sell the same, and apply the money arising therefrom as therein mentioned.

47. An act for dividing and inclosing the open arable fields, meadow, and pasture grounds, in the township of *Lelley*, in the parish of *Preston*, in *Holderness*, in the east riding of the county of *York*.

48. An act for dividing and inclosing certain open and common fields, and grounds, within the parish of *South Willingham*, in the county of *Lincoln*.

49. An act for dividing and inclosing certain open lands and grounds, in the parish of *Barnolby le Beck*, in the county of *Lincoln*.

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50. An act for dividing and inclosing certain open and common fields and grounds, within the parish of *Waltham*, in the county of *Lincoln*.

51. An act for dividing and inclosing certain open fields, lands, and grounds, in the several townships of *Atterby*, *Snitterby*, and *Waddingham*, in the county of *Lincoln*.

52. An act for dividing and inclosing the town fields, common balks, stinted pastures, and waste grounds in the township of *Sutton*, and parish of *Norton*, in the east riding of the county of *York*.

53. An act for dividing, inclosing, and draining, certain open fields, lands, and commons, within the townships of *Sheriff Hutton* and *West Lilling*, in the parish of *Sheriff Hutton*, in the county of *York*.

54. An act for dividing and inclosing certain open grounds, lying in *Osbaldwick*, with *Gate Helmsley* and *Peterland Row*, in the county of *York*.

55. An act for dividing and inclosing the open and common fields, arable meadow, and pasture grounds, within the manor and pasture of *Walsingham*, in the county palatine of *Durham*.

56. An act to dissolve the marriage of *Augustus Henry* duke of *Grafton*, with the honourable *Ann Liddell* his now wife; and to enable him to marry again; and for other purposes therein mentioned.

57. An act to dissolve the marriage of *John Worgan*, with *Sarah Macellean* his now wife; and to enable him to marry again; and for other purposes therein mentioned.

58. An act for selling the capital messuage or mansion-house, called *Percy Lodge*, and divers lands and hereditaments in the county of *Bucks*, devised by the will of the most noble *Frances* late dutchess dowager of *Somerset*; and for laying out the money arising by such sale in the purchase of other lands and hereditaments, to be settled, in lieu thereof, to the same uses.

59. An act for vesting part of the real estate, devised and directed to be purchased, by the will of *Henry* earl of *Shelburne*, in the kingdom of *Ireland*, deceased, and in *Taken-house Yard*, *London*, in trustees, to be sold or mortgaged; and for laying out the money arising by sale or mortgage thereof, in the purchase of manors, lands, or hereditaments, in *England*, to be settled to the uses of his said will; and for enabling the persons therein mentioned to grant such leases as are therein expressed.

60. An act for changing and altering the course of descent of copyhold estates held (of the manor of *Wolve ley*, in the county of *Worcester*) from the nature of *Borough English*, to the course of descent according to common law.

61. An act to enable the reverend *Christopher Wilson*, doctor in divinity, prebendary of the cathedral church of *Saint Paul*, *London*, to make and grant, unto the mayor and commonalty and citizens of the city of *London*, a lease of the prebendal estate of *Halliwell* and *Finsbury*, in the suburbs of the said city, for a term of ninety nine years.

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62. An act for vesting the settled estate of *John Barrow*, in the county of *Chester*, in trustees, to be sold for the payment of debts, and other purposes therein mentioned.
63. An act for vesting the real estates late of *Richard Chichester* esquire, deceased, in *England*, in trustees, to be sold, to raise money, to be applied to pay off the legacies charged upon and affecting the same, and the interest thereof, under the direction of the court of chancery; and for the other purposes therein mentioned.
64. An act to empower *Anthony Chapman*, esquire, to grant leases of part of his settled estates in the county of *Middlesex*, and city of *London*.
65. An act for dividing the vicarage of *Kingslon upon Thames*, in the county of *Surrey*, with the several chapelries or curacies thereto belonging, or thereon dependent, into two separate vicarages, and two separate perpetual curacies, in such manner as is therein mentioned.
66. An act to enable the corporation of the city of *Bristol*, to exchange the building of the hospital called *Queen Elisabeth's Hospital*, for the building called *The Bartholomew's*, in the said city; and for altering the times for holding *Bristol* fairs.
67. An act for inclosing and dividing several woods and woodlands, and a certain close or parcel of land or ground, called *West Coat Wood Close*, and the commons and waste grounds, within the manors of *Saint Catharine End*, in the parish of *Ry-slip*, in the county of *Middlesex*.
68. An act for dividing and inclosing several common arable fields, common pastures, and other inclosed grounds within the township of *Youlthorpe*, in the east riding of the county of *York*.
69. An act for dividing and inclosing several open fields, meadows, ings, stinted pastures, and other lands and grounds, within the manor of *Poppleton*, and a piece of waste ground called *Scaglethorpe Moor*, in the manor of *Scaglethorpe*, all in the county of the city of *York*.
70. An act for dividing and inclosing several open fields, grounds, commons, and wastes, within the township of *Ebber-ston*, in the county of *York*, and for other purposes therein mentioned.
71. An act for dividing and inclosing certain open arable fields, meadow grounds, commons, pastures, and other commonable lands and grounds, within the township of *Hutton Cranswick*, in the east riding of the county of *York*.
72. An act for dividing and inclosing several common arable fields in the moor or common, within the township of *Haxby*, in the north riding of the county of *York*.
73. An act for dividing and inclosing the open fields, and other commonable lands, and grounds, in the hamlet of *Knuston*, in the parish of *Ircheester*, in the county of *Northampton*.
74. An act for dividing and inclosing the open commons, and waste grounds, within the manor of *Orton*, in the county of *Westmoreland*.

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75. An act for dividing and inclosing certain open and common fields and commonable lands, in the parishes of *Chipping Norton* and *Salford*, in the county of *Oxford*.

76. An act for dividing and inclosing a moor, or common, called *Throughend Common*, in the parish of *Elsdon*, in the county of *Northumberland*.

77. An act for dividing and inclosing the open and common fields of *Fleckney*, in the county of *Leicester*.

78. An act for dividing and inclosing the open and common fields, common meadows, downs, and commonable lands, lying within the manors and parishes of *Holyrood Ampney* otherwise *Ampney Crucis*, and *Ampney Mary* otherwise *Ashbrook*, in the county of *Gloucester*.

79. An act for dividing and inclosing the open and common fields of *Thurlston*, otherwise *Thurlston*, in the county of *Leicester*.

80. An act for dividing and inclosing the common and waste grounds of the township of *Wiggington*, in the county of *York*.

81. An act for dividing and inclosing the several open fields, arable lands, and waste grounds, within the several manors and lordships of *Laughton-en-le-Morthen*, *Slade-Hooton*, and *Hooton-Slade*, in the parish of *Laughton-en-le-Morthen*, in the west riding of the county of *York*.

82. An act for discharging certain estates of *Denys Rolle* esquire, in the counties of *Somerset* and *Wills*, from the uses thereof limited and declared; and for vesting the same in trustees, to be sold, and applying the purchase money for the purposes therein mentioned; and for settling other estates in the county of *Devon*, of greater value, to the like uses.

83. An act for revoking and making void part of the trusts declared by an act of parliament, passed in the fifth year of the reign of his present Majesty, intituled, *An act for selling part of the settled estates of Robert Dolman esquire, in Pocklington and elsewhere, in the county of York, for discharging the debts and incumbrances of himself and Robert Dolman the younger, his eldest son, affecting the same; and for making provision for Robert Dolman the younger, and for the younger children of Robert Dolman the elder; and for declaring other trusts relative thereto; and for making provision for payment of other debts and incumbrances of the said Robert Dolman the elder, and Robert Dolman the younger, not provided for by the said act; and for making a recompence and provision for the first and other sons in succession, or other heirs of the bodies of the said Robert Dolman the younger, and Peggy his wife, during the lives of their said father and mother, and the survivor of them; and for the better security of purchasers under the said act.*

84. An act for vesting part of the settled estates of the reverend *Thomas Whitehurst* clerk, and *Sarah* his wife. in the counties of *Hertford* and *Bedford*, in the said *Thomas Whitehurst*, in fee simple; and for settling other estates of the said *Thomas Whitehurst*, in the said county of *Hertford*, to the same uses as the said estates were settled.

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85. An act for confirming, and carrying into execution, certain agreements, entered into between *William Hurst*, *William Powell*, esquires, and others, for raising money out of the estates late of *Thomas Herbert* esquire, in the counties of *Glamorgan* and *Monmouth*, for payment of the debts and legacies of *Lucy Allen*, and for other purposes; and for settling the residue of the said estates to the uses of her will.

86. An act for vesting in trustees, to be sold, the freehold and inheritance of the estate of *George Markham* esquire, deceased, in the county of *Lincoln*, along with a precedent term therein, and for other purposes.

87. An act for obviating a doubt arising on the settlement of *Peregrine Bertie* esquire with *Catharine* his present wife.

88. An act for indemnifying *Thomas Twisleton* and *Francis Twisleton*, esquires, the purchasers of certain lands and hereditaments, in the county of *Oxford*, belonging to *James Nesf* gentleman, and *Charlotte* his wife, as to the payment of their purchase money, and settling the same for the purposes therein mentioned.

89. An act for dividing and inclosing several open fields, common pastures, and parcels of land and grounds, within the township of *Bishop Wilton*, in the east riding of the county of *York*.

90. An act for dividing and inclosing the common fields, and other commonable lands and grounds, within the manor and parish of *Sundon*, in the county of *Bedford*.

91. An act for dividing and inclosing all the open fields, meadows, pastures, and all other open commonable and waste lands, within the parish of *Hucknall-Torkard*, in the county of *Nottingham*.

92. An act for dividing and inclosing the open and common fields, downs, and commonable lands, within the manor and lordship of *Coln Saint Aldwins*, in the county of *Gloucester*.

93. An act for dividing and inclosing the open fields, meadows, pastures, and other commonable lands, in the liberties of *Sudbrook*, within the manor and parish of *Ancaster*, in the county of *Lincoln*.

94. An act for dividing and inclosing the open fields, meadows, and pastures, in the lordship of *Claypole*; within the manor and parish of *Claypole*, in the county of *Lincoln*.

95. An act for dividing and inclosing certain commons or moors within the township of *Bramley*, in the parish of *Braithwell*, in the county of *York*.

96. An act for dividing and inclosing certain open and common fields, commonable lands, and waste grounds, in the parish of *Wootton*, in the county of *Oxford*.

97. An act for inclosing certain common and uninclosed tracts of land, in the parishes of *Horsington*, *Wincanton*, and *Mapperston*, in the county of *Somerset*.

98. An act for dividing and inclosing the open fields, meadows, common pastures, and waste grounds, within the townships of *Beckingham* and *Sutton*, in the manor and parish of *Beckingham*, in the county of *Lincoln*.

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99. An act for dividing and inclosing a certain moor, or common, in the township of *Thornley*, in the parish of *Wolfsingham*, and within the manor of *Brancepeth*, in the county palatine of *Durham*.

100. An act for dividing and inclosing the open and common fields, common meadows, common pastures, and other commonable lands and grounds, within the parish and liberty of *Pavenham*, in the county of *Bedford*.

101. An act for dividing and inclosing the common fields, common grounds, and commonable lands, in the parish and township of *Bedworth*, in the county of *Warwick*; and for regulating certain charity estates within the said parish.

102. An act for dividing and inclosing a certain open and common field, and commonable lands, in the townships and liberties of *Upper Middleton Cheney*, and *Lower Middleton Cheney*, in the county of *Northampton*.

103. An act for dividing and inclosing the common fields, common pastures, and other uninclosed grounds, within the manor and township of *Aclome*, in the east riding of the county of *York*.

104. An act for embanking, draining, and preserving, certain low grounds, in the parishes or townships of *Laneham*, *Rampton*, *Treswell*, *South Leverton*, *North Leverton*, *Habbleshorpe*, otherwise *Apesthorpe*, *Littlebrough*, *Sturton*, *Fenton*, and *West Burton*, in the county of *Nottingham*.

105. An act to enable the right honourable *James Grenville*, and the right honourable *Charles earl Cornwallis* to take in *Great Britain*, the oath of office, as vice treasurer and receiver general and paymaster general of all his Majesty's revenues in the kingdom of *Ireland*, and to qualify themselves for the enjoyment of the said offices.

106. An act to enable *William Walsh*, heretofore called *William Mosely*, and his issue, to take and use the surname and arms of *Walsh*, pursuant to the will of *William Walsh*, deceased.

107. An act for naturalizing *Samuel Canale* esquire, and his issue, to take and use the surname and arms of *Thorold*.

108. An act for naturalizing *Gerard Backus* and *Leonard Holls*.

109. An act for naturalizing *John Christian Hoffman*.

110. An act for vesting the estates of the right honourable *William* late earl of *Stafford*, deceased, in the counties of *Stafford* and *Salop*, devised by his will, in trustees, to be sold for the payment of the debts and incumbrances affecting the same; and for other purposes.

111. An act for vesting in trustees several real estates, late of *Jane Torre*, widow, deceased, in *Hesle*, *Tranby*, *Anlaby*, and elsewhere, within the county of the town of *Kingston upon Hull*, which were given and devised, by her will, to and for the benefit of the reverend Mr. *James Torre*, clerk, her son, and his children, upon trust, to sell the same, and apply the money to arise by the sale in manner therein expressed.

112. An act for dividing and inclosing several open fields, common and waste grounds, in the parish of *Blidworth*, in the county of *Nottingham*.

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T A B L E

Containing the TITLES of all the

S T A T U T E S

PUBLICK and PRIVATE,

Passed *Anno decimo*

GEORGE III. *Regis.*

Being the Third Session of the Thirteenth Parliament of
GREAT BRITAIN.

PUBLICK ACTS.

I. **A**N act for continuing an act made in the last session of parliament, to prohibit, for a further time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour.

II. An act to continue for a further time, an act made in the eighth year of his present Majesty's reign, intituled, *An act to continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time.*

III. An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

IV. An act for indemnifying all persons with respect to advising or carrying into execution his Majesty's orders of council, made for preventing the spreading of a contagious distemper amongst the horned cattle, and for rendering the same valid and effectual, and for preventing suits in consequence thereof; and to authorise the continuing, extending, and executing the same, for a further time.

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V. An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventy.

VI. An act for granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and seventy.

VII. An act for the regulation of his Majesty's marine forces while on shore.

VIII. An act to continue, for a limited time, an act made in the seventh year of his present Majesty's reign, intituled, *An act to discontinue, for a limited time, the duties payable upon the importation of tallow, hogs lard, and grease.*

IX. An act for defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and seventy.

X. An act to permit the exportation of malt.

XI. An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy.

XII. An act to enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to compound, with *William Hill* and *John Dyer*, a debt due to the crown from *William Pye*, for which they are sureties.

XIII. An act for enabling his Majesty to grant the inheritance in fee simple of the manor of *Cosham*, in the county of *Wilt*, with the rights, members, and appurtenances thereof, now held, under a demise by letters patent under the seal of his Majesty's court of exchequer, in trust for *Paul Methuen* esquire, unto the said *Paul Methuen*, and his heirs, upon a full and adequate consideration to be paid for the same.

XIV. An act for paving, lighting, and watching the town of *Plymouth*, in the county of *Devon*; and for regulating the carmen and porters within the said town.

XV. An act to continue an act made in the last session of parliament, intituled, *An act for amending, and further continuing, an act of the sixth year of his present Majesty's reign, intituled, An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.*

XVI. An act to regulate the trials of controverted elections, or returns of members to serve in parliament.

XVII. An act to repeal so much of an act made in the seventh year of his present Majesty's reign, intituled, *An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation, from this kingdom, of coffee and cocoa nuts of the produce of the said colonies or plantations; for discontinuing the draw-*

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backs payable on china earthen ware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations, as relates to the duties upon glass, red-lead, white-lead, painters colours, paper, paste-boards, mill-boards, and scale-boards, of the produce or manufacture of Great Britain, imported into any of his Majesty's colonies in America; and also to the discontinuing the drawbacks payable on china earthen-ware, exported to America; and for regulating the exportation thereof.

XVIII. An act for preventing the stealing of dogs.

XIX. An act for better preservation of the game, within that part of *Great Britain* called *England*.

XX. An act for the more easy and speedy recovery of small debts within the borough of *King's Lynn*, and the liberties thereof.

XXI. An act for the more easy and speedy recovery of small debts, within the parishes of *Poulton, Kirkham, Lytham, and Bispham*, and townships of *Preefall and Stalmine*, in the county palatine of *Lancaster*.

XXII. An act for better supplying the city of *Worcester*, and the liberties thereof, with water; and for the better paving and lighting the said city; and for removing and preventing all obstructions and annoyances therein.

XXIII. An act for the more effectually paving, repairing, cleansing, and lighting, the streets, squares, lanes, and other passages, and for regulating weights and measures, within the parish of *Saint Mary le Bone*, in the county of *Middlesex*; and for other purposes therein mentioned.

XXIV. An act for further continuing the duties granted and continued by several acts made in the sixth and tenth years of the reign of *Queen Anne*, and in the seventh year of the reign of *King George the First*, for repairing the harbour and key of *Watchett*, in the county of *Somerſet*.

XXV. An act for the better paving, repairing, and cleansing, the streets, and other publick passages, in the several parishes and wards of *Saint Michael, Saint John, Holy Rhood, Saint Lawrence, All Saints within the Bar, All Saints without the Bar, and East Street and Bag-row*, within the town of *Southampton*, and liberties thereof; and for preventing nuisances and annoyances therein; and for widening and rendering the same more commodious; and for the lighting and watching the said streets and publick passages.

XXVI. An act for further continuing the terms and powers, granted and continued by three acts passed in the twelfth and thirteenth years of *William the Third*, the Tenth of *Queen Anne*, and in the eleventh year of his late Majesty *George the Second*, for recovering, securing, and keeping in repair, the harbour of *Minehead*, in the county of *Somerſet*; and for the more effectual carrying the said acts into execution; and also for the better securing the ancient dues payable to the lord or lady of the manor of *Minehead* for the time being.

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XXVII. An act to enlarge the powers of an act of the twenty-fourth year of his late Majesty, for making the river *Nar* navigable, from the town and port of *King's Lynn* to *Westacre* in the county of *Norfolk*, and for making the said act more effectual.

XXVIII. An act for rebuilding the common gaol of the county of *Essex*.

XXIX. An act to explain, amend, and make more effectual, an act passed in the fifth year of his Majesty's reign, intituled, *An act for the more easy and speedy recovery of small debts within the hundreds of Blackheath, of Bromley and Beckenham, of Rokesley otherwise Ruxley, and Little and Lessness, in the county of Kent*; and one other act passed in the sixth year of his Majesty's reign, for extending the provisions of the said act to the hundred of *Wallington*, in the county of *Surrey*.

XXX. An act for rectifying a mistake in an act made in the last session of parliament, intituled, *An act for better securing the duties of customs upon certain goods removed from the out ports and other places to London*; for regulating the fees of the officers of his Majesty's customs in the province of *Senegambia* in *Africa*; for allowing to the receivers general of the duties on offices and employments in *Scotland*, a proper compensation for their trouble and expences; for the better preservation of hollies, thorns, and quicksets, in forests, chaces, and private grounds, and of trees and underwoods in forests and chaces; and for authorising the exportation of a limited quantity of an inferior sort of barley, called *Bigg*, from the port of *Kirkwall* in the islands of *Orkney*.

XXXI. An act for extending like liberty, in the exportation of rice from *East and West Florida* to the southward of *Cape Finislerre* in *Europe*, as is granted, by former acts of parliament, to *Carolina* and *Georgia*.

XXXII. An act for defraying the expence of building the new office of excise in *London*, out of his Majesty's revenue of excise.

XXXIII. An act for rectifying mistakes in the names of several of the commissioners appointed by an act made in the last session of parliament, to put in execution an act made in the same session, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and sixty-nine*; and for appointing other commissioners, together with those named in the first-mentioned act, to put in execution an act of this session of parliament, for granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and seventy.

XXXIV. An act for rendering more effectual several acts for providing a publick reward for discovering the longitude at sea; for improving the *Lunar Tables* constructed by the late professor *Mayer*; and for encouraging discoveries and improvements useful to navigation.

XXXV. An act to enable the governor, council, and assembly

sembly of his Majesty's colony of *New York*, to pass an act of assembly for creating and issuing upon loan paper bills of credit to a certain amount; and to make the same a legal tender in payments into the loan offices and treasury of the said colony.

XXXVI. An act for redeeming the capital or joint stock of annuities, after the rate of three pounds ten shillings *per centum*, established by an act made in the twenty-ninth year of the reign of his late Majesty King *George the Second*, intituled, *An act for granting to his Majesty the sum of two millions, to be raised by way of annuities and a lottery, and charged on the sinking fund, redeemable by parliament; and for extending to Ireland the laws made in this kingdom against private and unlawful lotteries.*

XXXVII. An act for continuing so much of an act made in the third year of his present Majesty's reign, intituled, *An act to continue and amend two acts made in the twenty-first and twenty-eighth years of his late Majesty's reign, for encouraging the making of indico in the British plantations in America; and for the extending the provisions of an act of the thirtieth year of his late Majesty's reign, with respect to bringing prize goods into this kingdom, to Spanish prize goods taken since the late declaration of War with Spain*, as relates to encouraging the making of indico in the *British* plantations in *America*; and for explaining so much of an act made in the fifth year of his present Majesty's reign, as relates to the regulating the fees of the officers of the customs in *America*; and for extending the same to the naval officers there.

XXXVIII. An act for continuing the bounties on *British* and *Irish* linens exported; for further discontinuing the duties on the importation of foreign raw linen yarns made of flax; and for granting a bounty on the exportation of *British* chequered and striped linens, and upon *British* and *Irish* diapers, huckabacks, sheeting, and other linen of above a certain breadth.

XXXIX. An act for registering the prices at which corn is sold in the counties of *Great Britain*, and the quantity exported and imported.

XL. An act for appropriating a fund, established by an act made in the seventh year of the reign of his present Majesty, intituled, *An act for granting to his Majesty additional duties on certain foreign linens imported into this kingdom, and for establishing a fund for the encouraging of the raising and dressing of hemp and flax.*

XLI. An act to enable the speaker of the house of commons to issue his warrants to make out new writs for the choice of members to serve in parliament, in the room of such members as shall die during the recess of parliament.

XLII. An act to indemnify such persons in *Great Britain* and *Ireland*, as have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose; for allowing further time for registering and inrolling agreements entered into for enclosing

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ing commons, for the purpose of planting and preserving trees for timber or underwood; and for indemnifying persons who have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors.

XLIII. An act for repealing the duties upon bast or straw, chip, cane, and horsehair hats and bonnets, and upon certain materials for making the same, imported into this kingdom; and for granting other duties in lieu thereof; and for the more effectual preventing the fraudulent importation of such goods.

XLIV. An act for more effectually preventing traders in exciseable commodities from using false weights and scales; and for explaining and amending several acts of parliament relating to hackney coaches and chairs.

XLV. An act to prevent the further spreading of the contagious disorder among the horned cattle in *Great Britain*.

XLVI. An act for establishing a lottery, and for other purposes therein mentioned.

XLVII. An act for better regulating persons employed in the service of the *East India* company, and for other purposes therein mentioned.

XLVIII. An act for making the receiving of stolen jewels, and gold and silver plate, in the case of burglary and highway robbery, more penal.

XLIX. An act for continuing and amending several acts for preventing abuses in making bricks and tiles.

L. An act for the further preventing delays of justice by reason of privilege of parliament.

LI. An act to encourage the improvement of lands, tenements, and hereditaments, in that part of *Great Britain* called *Scotland*, held under settlements of strict entail.

LII. An act for granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and seventy; and for further appropriating the supplies granted in this session of parliament.

LIII. An act to repeal an act passed in the thirty-first year of the reign of his late majesty King George the Second, intitled, *An act for the relief of the coal-heavers working upon the river Thames; and for enabling them to make provision for such of themselves as shall be sick, lame, or past their labour, and for their widows and orphans*; and to regulate the price of their labour; to prevent frauds and impositions on such labourers; and for their further relief.

LIV. An act for amending the road from *Saint Stephen's Gate*, in the city of *Norwich*, to *Block Hill* in *Trowse*, at the angle where the road divides to *Bixley* and *Kirby*, in the county of *Norfolk*.

LV. An act for repairing and widening several roads in the county of *Cardigan*.

LVI. An act for the better maintaining, regulating, and em-

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employing, the poor within the parish of *Saint Paul Shadwell*, in the county of *Middlesex*.

LVII. An act for the better regulating the navigation of the river *Trent*, from *Wilden Ferry*, otherwise *Cavendish Bridge*, in the county of *Derby*, to *Gainborough*, in the county of *Lincoln*.

LVIII. An act for amending the road from *Aylesbury*, in the county of *Buckingham*, through *Thame* and *Little Milton*, to the turnpike road between *Benington* and *Shillingford*, in the county of *Oxford*.

LIX. An act to continue and render more effectual an act of the thirty-first year of his late Majesty, for repairing several roads in the counties of *Dorset* and *Devon*, leading to and through the borough of *Lyme Regis*; and for repairing the road from the turnpike road at the *Three Asbes*, in the parish of *Crewkerne*, in the county of *Somerset*, and other roads therein mentioned.

LX. An act for enlarging the term and powers of an act for amending the road from *Christopher's Bridge*, in the borough of *Thetford*, in the county of *Suffolk*, to the north-east end of the town of *Newmarket*, in the county of *Cambridge*.

LXI. An act to enlarge the term and powers of an act made in the thirty-first year of the reign of his late Majesty, for repairing the road from *Leeds* to *Sheffield*, in the county of *York*, so far as the same relates to the road from *Leeds* to *Wakefield*.

LXII. An act for the repairing, widening, and keeping in repair, the road leading from *Eaton Bridge* turnpike road at *Cockham Hill*, in the parish of *Westerham*, in the county of *Kent*, through the village of *Limpsfield*, to the village of *Titscy*, over *Botley Hill*, *Worms Heath*, and *Willingham Common*, to the turnpike road leading from *Croydon* to *Godstone*, in the county of *Surry*.

LXIII. An act for repairing and widening the road from *Upton*, in the parish of *Ratley*, to the north end of *Bridge Street*, in the town of *Great Kingston*; and from thence to the guide post at the town of *Wellebourne Hastings*, in the county of *Warwick*.

LXIV. An act for repairing and widening the road from *Lewes* to *Brightelmston*, in the county of *Suffex*.

LXV. An act for repairing the road from the bridge on the old river at *Barton*, to *Brandon Bridge*, in the county of *Suffolk*.

LXVI. An act for repairing and widening the road from *Tunstall*, in the county of *Stafford*, to *Bosley* in the county of *Chester*; and from *Great Chell*, to *Shelton* in the said county of *Stafford*.

LXVII. An act for amending and widening the road from *Saint Benedict's Gate*, in the county of the city of *Norwich*, to *Swaffham*, in the county of *Norfolk*, and from *Halfpenny Bridge*

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in *Honingham*, to the bounds of *Yaxham*; and also a lane called *Hangman's Lane*, near the gates of the said city.

LXVIII. An act for continuing the terms, and enlarging the powers, of several acts of parliament made for repairing the road from *Ipswich* to *Cleydon*, and several other roads therein mentioned, in the county of *Suffolk*.

LXIX. An act to enlarge the term and powers of an act of the eighteenth year of the reign of King *George the Second*, for repairing the road from *Birmingham*, in the county of *Warwick* (through *Elmdon*) to a lane leading by the end of *Stonebridge* in the said county.

LXX. An act to enlarge the term contained in two several acts of parliament, and to grant a further term and powers for the more effectual repairing, widening, and amending the road from a place called *Earl's Kill* in *Warrington*, to the *Toll Bars* in *Wallgate* in *Wigan*, both in the county of *Lancaster*.

LXXI. An act to continue two acts, of the third and seventeenth years of the reign of King *George the Second*, for repairing the road leading from *Galley Corner*, adjoining to *Enfield Chase*, in the parish of *South Mims*, in the county of *Middlesex*, to *Lemsford Mill* in the county of *Hertford*.

LXXII. An act for repairing and widening the road from *Bicester* in the county of *Oxford*, to *Aylesbury* in the county of *Bucks*.

LXXIII. An act to empower the justices of the peace for the county of *Devon* to apply a sum of money, out of the county stock, for the opening, making, and maintaining a convenient and commodious highway, from the high street in the city of *Exeter* to the castle of *Exeter*.

LXXIV. An act to enlarge the term and powers of an act made in the twentieth year of his late Majesty, for repairing the road from *Cirencester* in the county of *Gloucester*, to *Birdlip Hill* in the said county.

LXXV. An act for building a workhouse in the parish of *Saint Martin in the Fields*, within the liberty of *Westminster*, in the county of *Middlesex*.

LXXVI. An act for repairing, widening, and keeping in repair the road from *New Chappell*, in the county of *Surry*, over *Copthorn*, in the county of *Suffex*, through *Lindfield*, to the town of *Ditchling*, up to the top of *Ditchling Bost Hills*, in the said county of *Suffex*.

LXXVII. An act for amending and widening the road from *Saint Stephen's Gate*, in the county of the city of *Norwich*, to the *Windmill* in the town of *Watton*, in the county of *Norfolk*.

LXXVIII. An act for amending and widening several roads leading from the *Bell* in *Stoke Ferry* in the county of *Norfolk*.

LXXIX. An act to enable the parishioners of *Saint Andrew Holborn, London*, to purchase a workhouse.

LXXX. An act for building a workhouse for the liberty of *Saffron-Hill, Hatton-Garden*, and *Ely-Rents*, in the parish of *Saint Andrew Holbourn*, in the county of *Middlesex*.

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LXXXI. An act for consolidating the rates to be made for the relief of the poor of the respective parishes of *Saint Thomas, Saint Edmund, and Saint Martin*, in the city of *New Sarum*.

LXXXII. An act to explain, amend, and render more effectual, and to enlarge the term and powers granted by an act passed in the twenty-second year of the reign of his late Majesty King *George the Second*, so far as the said act relates to the repairing and widening the road from *Hindhead Heath*, in the county of *Surry*, through *Fernhurst Lane* and *Midhurst*, to the city of *Chichester*, in the county of *Suffex*; and also for repairing and widening the road from *Chichester* aforesaid to *Delkey*, in the said county.

LXXXIII. An act to continue and render more effectual several acts for repairing and amending the road from *Biggleswade*, in the county of *Bedford*, through *Bugden* and *Alconbury* to the top of *Alconbury Hill*, and from *Bugden* to *Huntingdon*, and from *Crofs Hall* to *Great Stoughton Common*, in the county of *Huntingdon*; and for repairing, widening, turning, and altering the road leading out of the aforesaid road at or near the *Ferry-house*, in the parish of *Tempsford*, to and through *Little Barford, Eynesbury, and Saint Neots*, to the turnpike road at the end of *Crofs Hall Lane*.

LXXXIV. An act for enlarging the term granted by an act of the twenty-eighth year of his late Majesty's reign, "for repairing and widening the road from *Sutton*, in the county of *Surrey*, through the borough of *Reigate*, by *Sidlow Mill*, to *Povey Cross*, and from *Sutton* aforesaid, through *Cheam*, and over *Howell Hill*, to *Ewell*, and also the road from *Tadworth*, by the *Windmill*, to the bottom of *Pebble Hill*, in the said county;" and for empowering the trustees appointed by an act of the tenth year of his late majesty King *George the First*, for repairing several roads in the counties of *Surrey* and *Suffex*, to make a yearly allowance to the trustees appointed by the said act of the twenty-eighth of *George the Second*, and for taking certain roads out of the power of the trustees appointed by the said act of the tenth of *George the First*, and putting them under the direction of the trustees appointed by the said act of the twenty-eighth of *George the Second*; and for repairing the road from *Povey Cross*, in the county of *Surrey*, to the *Oak* dividing the counties of *Surrey* and *Suffex*; and also the road from *Woodhatch* to *Peteridge Lane*, in the county of *Surrey*.

LXXXV. An act for repairing and widening the several roads from the *South Gate*, in the borough of *King's-Lynn*, into the parishes of *East Walton, Narborough, Stoke-Ferry, and Downham-Market*, in the county of *Norfolk*.

LXXXVI. An act for repairing and widening the roads from the *East Gate*, in the borough of *King's-Lynn*, into the parishes of *Geyton* and *Grimstone*, and to the gate next *Hillington*, on *Congham Common*, and to the north end of *Babingley Lane*, in the county of *Norfolk*.

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LXXXVII. An act to enlarge the term and powers granted by an act passed in the first year of the reign of his present Majesty, "for repairing and widening the road from the east end of *West Taphouse Lane* to the borough of *Liskeard*, and "from thence to *Coomb Row House*, and also the road from "the said borough of *Liskeard* to *Craft Hole*, and from thence "to *Crimble Passage* and *Tar Point*, and from *Craft Hole* a- "foresaid to *Saint German's Beacon*, in the counties of *Corn-* "wall and *Devon*," and for amending the roads from *Barn Street* to *Duloe Church*, and from *Lux Sreet* to *Crathick Ford*, and from *Bull Post* to *Treworrey Cross*, in the county of *Corn-* wall.

LXXXVIII. An act for repairing and widening the road from *Whitchurch*, in the county of *Southampton*, to the turnpike road at *Aldermaston Great Bridge*, in the county of *Berks*.

LXXXIX. An act to enlarge the term and powers of an act made in the fifth year of his present Majesty, for repairing and widening the road from *Stockport* in the county of *Chester*, to *Saxon's Lane End* in the county of *Lancaster*, and other roads in the said act mentioned.

XC. An act to continue, amend, and render more effectual the several acts now subsisting for repairing the road from *Dun-* church to *Stone Bridge*, in the county of *Warwick*.

XCI. An act for enlarging the term and powers of an act passed in the twenty-fifth year of the reign of his late Majesty, for repairing the several roads leading from the town of *Brom-* yard, in the county of *Hereford*, therein mentioned; and for a- mending several other roads adjoining thereto.

XCII. An act for repairing and widening the road from *Workop* to the turnpike road at *Kelham*, and from *Debdale Hill* to the great northern road at *South Muskham*, in the county of *Nottingham*.

XCIII. An act for building a bridge over the river *Clyde*, near the town of *Hamilton*, in the county of *Lanark*, and for making and repairing certain roads and avenues leading to the same.

XCIV. An act for amending the road from *Wellsbourn Meun-* fort, to *Stratford upon Avon*, in the county of *Warwick*.

XCV. An act for repairing and widening the roads leading from *Brightelmston*, to the *County Oak* on *Levell Heath*, in the county of *Suffex*.

XCVI. An act for repairing and widening the roads from the borough of *Bury Saint Edmunds*, to the town of *Newmarket*, in the counties of *Suffolk* and *Cambridge*; and from the south end of the *Ferry Street* in *Brandon*, to *Bury Saint Edmunds*, in the said county of *Suffolk*.

XCVII. An act to extend the provisions in two acts passed in the third and fifth years of his present Majesty, for repairing the road from *Cambridge* to *Ely*, and from *Ely* to *Littleport*, and o- ther roads therein mentioned, to the road from *Wilburton* to *Mepall*; and for making other provision for repairing the said road from *Ely* to *Littleport*; and for making and keeping in re- pair

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pair a road from *Littleport* to *Chequer Corner* in *Downham*, in the counties of *Cambridge* and *Norfolk*.

XCVIII. An act for repairing, widening, and altering the road from *Macclesfield*, in the county of *Chester*, to the turnpike road at *Randle Carr lane Head* in *Fernilee*, in the county of *Derby*, leading to *Chapel in the Frith*, in the same county.

XCIX. An act for repairing and widening several roads leading to and through the borough of *Tamworth*, and other roads therein mentioned, in the counties of *Stafford*, *Warwick* and *Derby*.

C. An act to continue the term, and to vary and enlarge the powers of two acts of the twelfth year of the reign of King *George* the first, and the eighteenth year of the reign of his late Majesty, for repairing the highways from *Speenhamland*, in the county of *Berks*, to *Marlborough*, in the county of *Wills*; and for repairing several other roads therein mentioned.

CI. An act for repairing and widening the road from *Burford* to *Banbury*, in the county of *Oxford*; and from *Burford* aforesaid to the turnpike road leading to *Stow*, in the county of *Gloucester*, at the bottom of *Stow-Hill*; and from *Swerford-gate*, in the said county of *Oxford*, to the turnpike road in *Aynho*, in the county of *Northampton*.

CII. An act to amend an act made in the sixth year of the reign of his present Majesty, for making a navigable cut or canal from the river *Trent*, at or near *Wilden Ferry*, in the county of *Derby*, to the river *Mersey*, at or near *Runcorn Gap*; and for granting further powers for that purpose.

CIII. An act to explain and amend an act made in the sixth year of the reign of his present Majesty, intituled, *An act for making and maintaining a navigable cut or canal from the river Severn, between Bewdley and Titton Brook, in the county of Worcester, to cross the river Trent, at or near Heywood Mill, in the county of Stafford, and to communicate with a canal intended to be made between the said river Trent and the river Mersey*; and for granting further powers for that purpose.

CIV. An act to explain and amend an act made in the thirty-second year of the reign of King *George* the Second, for improving the navigation of the river *Clyde*, to the city of *Glasgow*, and for building a bridge cross the said river, from the said city, to the village of *Gorbells*.

CV. An act for making and maintaining a navigable cut or canal, and waggon way, from the collieries in the parishes of *Old and New Monkland*, to the city of *Glasgow*.

CVI. An act to continue the term, and alter and enlarge the powers of an act made in the thirty-first year of his late Majesty, for repairing the road from the village of *Magor*, to the bridge foot in the town of *Chepstow* in the county of *Monmouth*, and other roads in the counties of *Monmouth* and *Gloucester*; and for repairing and widening several other roads adjoining to the said roads.

CVII. An act to continue the term, and alter and enlarge the
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powers of three acts for repairing the highways through the several parishes of *Saint Michael, Saint Alban, Saint Peter, Shenley Ridge, and South Mims*, in the counties of *Hertford and Middlesex*.

CVIII. An act for continuing, amending, and rendering more effectual, so much of three acts of parliament, for repairing the roads from *Seven-Oaks, Tunbridge-Wells, and Kipping's-Cross*, to *Lamberhurst-pound, and Pullin's-Hill*, in the county of *Kent*; and to *Flimwell-vent*, in the county of *Suffex*; as relates to the road leading from *Sevenoaks Common to Woodgate, Tunbridge-wells, and Kipping's-Cross*, in the said county of *Kent*.

CIX. An act for repairing and widening several roads leading from the town of *Louth*, in the county of *Lincoln*.

CX. An act to explain, amend, and render more effectual, an act made in the fourth year of the reign of his present Majesty, for maintaining, regulating, and employing the poor of the parish of *Saint Clement Danes*, in the liberty of *Westminster*, and county of *Middlesex*.

CXI. An act for compleating the navigation of the river *Swale*, from its junction with the river *Ure* to *Morton Bridge*, and of *Bedale Brook* in the county of *York*, and for repealing part of an act made in the seventh year of his present Majesty's reign relating thereto.

CXII. An act for building a new parish church, and declaring the present parish church a chapel; for making a cœmety or church-yard; and for building an house for the use of the minister of the parish of *Saint Mary le Bone*, in the county of *Middlesex*.

CXIII. An act for repairing, widening, turning, and altering the roads from *Butterton Moor End* near *Oncott*, in the county of *Stafford*, to the three mile stone in the turnpike road leading from *Buxton to Ashborne*, in the county of *Derby*, and from *Blackton Moor*, in the county of *Stafford*, to the turnpike road leading from *Buxton to Ashborne* near *Newhaven*, in the county of *Derby*; and from *Warslow to Ecton Mine*, in the county of *Stafford*.

CXIV. An act for making and maintaining a navigable cut or canal from *Leeds Bridge*, in the county of *York*, to the *North Lady's Walk* in *Liverpoole*, in the county palatine of *Lancaster*, and from thence to the river *Mersey*.

P R I V A T E A C T S .

AN act to enable the right honourable *George Sackville*, commonly called lord *George Sackville*, and his issue male, to take and use the surname of *Germain*, pursuant to the will of the right honourable the lady *Elizabeth Germain*, deceased.

2. An act for naturalizing *John Caspar Shneider*.

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3. An act for naturalizing *Adam Kroll*.
4. An act for naturalizing *John Daniel Cailler*.
5. An act to enable the Bishop of *Bristol* to grant a lease or leases of a close of *Ground*, commonly called *the Bishop's Park*, in the parish of *Saint Augustine*, otherwise called *Saint Augustine the less*, within the city of *Bristol*, or the suburbs thereof.
6. An act for dividing, inclosing, and allotting the open fields, and certain commonable places, in the parish of *Halloughton*, in the county of *Leicester*.
7. An act for dividing, inclosing, and allotting the open fields, in the parish of *Ratby*, and county of *Leicester*.
8. An act for dividing and inclosing the open fields, common meadows, common pastures, commons, and waste grounds, in the parish of *Waddington*, in the county of the city of *Lincoln*.
9. An act for dividing, allotting, and inclosing the open fields and commonable places, in the parish of *Saddington*, in the county of *Leicester*.
10. An act for dividing and inclosing certain open fields and common pastures, in the parish of *Scauby*, in the county of *Lincoln*.
11. An act for dividing and inclosing the open commons, within the manor or lordship of *Brampton*, in the parish of *Longmarton*, in the county of *Westmoreland*.
12. An act for dividing and inclosing an open common, or tract of ground, parcel of *Mendip*, in the parishes of *East Cranmore* and *West Cranmore*, in the county of *Somerset*.
13. An act for dividing and inclosing a certain common, or waste ground, called *Derby Hills*, in the county of *Derby*, parcel of the manor of *Castle Donington*, in the counties of *Leicester* and *Derby*.
14. An act for dividing and inclosing certain open and common fields, common pastures, common meadows, and commonable grounds, in the parish of *Blackbourton*, in the county of *Oxford*.
15. An act to enable *William Harwood*, and his issue, to take and use the surname and arms of *Backwell*, pursuant to the will of *William Backwell* deceased.
16. An act to enable *William Head* Esquire, a minor, and his issue, to take and use the surname of *James* only, and to bear the coat of armour of the family of *John James* Esquire, deceased.
17. An act for naturalizing *Christian Gottlieb Schuster*.
18. An act for naturalizing *John Nicholas Jacquin*.
19. An act for naturalizing *John Julius Angerstein*.
20. An act for vesting the manor of *Lymington*, and certain lands and hereditaments in the counties of *Somerset* and *Wilts*, settled by the will of *John Walker* Esquire, deceased, in trustees, to be sold; and for settling other lands and hereditaments in the said county of *Wilts*, in lieu thereof; and for other purposes therein mentioned.
21. An act for discharging certain estates from the uses and trusts thereof, created in and by an act of parliament passed in the

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the twenty-eighth year of his late Majesty's reign, intituled, *An act for charging the settled and unsettled estates of Gilbert Caldicot Esquire, with raising money, to pay his debts and incumbrances, and for limiting his unsettled estates so charged to the uses of his marriage settlement; and for charging the said estates to the several uses and trusts therein mentioned.*

22. An act for dividing and inclosing certain open and common fields and grounds, within the parish of *Benniworth* in the county of *Lincoln*.

23. An act for dividing and inclosing the open and common fields, commonable lands, and waste grounds, within the manor and parish of *Navenby*, in the county of *Lincoln*.

24. An act for dividing and inclosing part of the common fields, in the parish of *Uppingham*, in the county of *Rutland*.

25. An act for dividing and inclosing certain open lands, grounds, and common pastures, in the parish of *Winterton*, in the county of *Lincoln*.

26. An act for dividing and inclosing the common and waste grounds, within the township and manor of *Thornton*, in *Bradford Dale*, in the west riding of the county of *York*.

27. An act for dividing and inclosing the open fields, downs, meadows, and waste lands, within the manor or manors of *Compton*, in the parish of *Ensford*, in the county of *Wilts*.

28. An act for dividing and inclosing the common and waste grounds, within the manor or parish of *Bassenthwaite*, in the county of *Cumberland*.

29. An act for dividing and inclosing the several open fields, copies, and commonable ground, within the parish of *Denton*, otherwise *Divington Parva*, in the county of *Northampton*.

30. An act for dividing and inclosing *Wywill Heath*, in the Lordship of *Wywill cum Hungerton*, in the county of *Lincoln*.

31. An act for dividing and inclosing a certain parcel of open ground, called *Dunnington Moor*, in the east riding of the county of *York*.

32. An act for dividing and inclosing the common fields, common pasture, and other uninclosed grounds, within the township of *West Heslerton* and parish of *Yeddingham*, in the east riding of the county of *York*.

33. An act for dividing and inclosing the open fields, meadows, common pastures, and other commonable lands, within the parish of *Bottesford*, including the hamlets of *Easthorpe* and *Normanton*, in the county of *Leicester*.

34. An act for dividing and inclosing two common stinted pastures, and a certain moor or common, within the manor of *Bellerby*, in the north riding of the county of *York*.

35. An act for dividing and inclosing a parcel of open ground, in the township of *Earlswick*, in the county of *York*.

36. An act for dividing and inclosing the open fields, meadows, and waste ground, in the lordship or liberty of *Ravenstone*, otherwise *Raunston*, in the counties of *Leicester* and *Derby*.

37. An act for dividing and inclosing the open and common

mon fields, lands, and downs, within the manor and parish of *Westwell*, in the county of *Oxford*.

38. An act for dividing and inclosing several common fields and commonable lands, within the parish of *Bulkington*, in the county of *Warwick*.

39. An act for dividing and inclosing the open parts of the common arable fields, and the common meadows, pasture grounds, commons, and waste grounds, within the townships of *Sberburn*, *Lennerton*, *Barkston-Ash*, *Church Fenton*, *Little Fenton* and *Biggen*, in the county of *York*.

40. An act for amending, and rendering more effectual, an act made in the seventh year of his present Majesty's reign, intituled, *An act for dividing a certain Fen, called the Haute Huntre, Eight Hundred, or Holland Fen, and certain other commonable places adjoining thereto, in the parts of Holland, in the county of Lincoln*.

41. An act for amending and rendering more effectual an act made in the fifth year of the reign of his present Majesty, intituled, *An act for draining and improving certain low marsh, and fen lands, lying between Boston Haven and Bourne, in the parts of Kesteven and Holland, in the county of Lincoln, and for improving the navigation through the said lands*.

42. An act for dividing and inclosing the common fields, common meadows, common cow pasture, lammas grounds, and waste grounds, in the parish of *Simpson*, in the county of *Bucks*.

43. An act for naturalizing *John Jacob Appach*.

44. An act for naturalizing *John Gottfried Hanman*.

45. An act for vesting a certain messuage or tenement, with the appurtenances, in *Arlington Street*, in the county of *Middlesex*, part of the settled estate of the most noble *Evelyn* duke of *Kingston*, in trustees and their heirs, in trust for the said duke; and for settling other estates of the said duke to the same uses as the said messuage and premises now stand limited.

46. An act for vesting several lands and tenements, settled and entailed upon *Jacob Pleydell Bouverie*, commonly called viscount *Folkestone*, and *William* Earl of *Radnor*, and their issue respectively, by the will of Sir *Mark Stuart Pleydell* baronet, deceased, in trustees, to be sold, to discharge incumbrances; and for vesting several lands and tenements settled and entailed upon the said earl and his issue, by the will of Sir *Edward des Bouverie* Baronet deceased, in trustees, to be sold; and for settling other lands and hereditaments in lieu thereof.

47. An act for vesting the fee simple and inheritance of certain lands and hereditaments, in the parish of *Winterbourne Clenston*, in the county of *Dorset*, in trustees, for the right honourable *Joseph* Lord *Milton* and his heirs, discharged of the several charitable uses to which the same now stand limited; and in lieu thereof to subject and charge the same, and other lands and hereditaments in the same county, whereof the said *Joseph* Lord *Milton*, is seised in fee, with the payment of a perpetual rent charge of greater value, and for other purposes.

48. An act to enable the right honourable *George* Lord *Edgecombe*,

combe, to grant building leases of lands, tenements, and hereditaments, within the manor of *Stonehouse*, otherwise *East Stonehouse*, in the county of *Devon*.

49. An act for confirming an agreement, afterwards made an order of assize, and rule of his Majesty's court of King's bench at *Westminster*, in a cause wherein *John Doe*, on the demise of *William Salvin* Esquire and *Catherine* his wife was plaintiff, and *Margaret Thornton* and *Mary Thornton*, spinsters, infants, by their guardians, were defendants, touching the manor of *Netherwitton*, capital messuage of *Netherwitton*, and other messuages, lands, and hereditaments, in the county of *Northumberland*, heretofore the estate of *John Thornton*, late of *Netherwitton* aforesaid, Esquire, deceased; and for confirming the award made in pursuance of the said agreement.

50. An act to empower the trustees named in the settlement of *Sir George Robinson* Baronet, and dame *Dorothea* his wife, to grant building and repairing leases of the settled estates in or near *Tower-Hill*, within the liberty of the tower of *London*; and for other the purposes therein mentioned.

51. An act to enable the trustees of the estates devised by *William Hulme* Esquire, to grant building leases thereof, and to increase the number of exhibitors in *Brasen Nose College*, *Oxford*, founded by the said Testator; and for other the purposes therein mentioned.

52. An act for vesting the manor of *Snelston*, and certain messuages, lands, and hereditaments, in *Snelston*, in the county of *Derby*, comprised in the marriage settlement of *Thomas Docksey* Esquire, in trustees, in trust to sell and convey the same to *Arthur Bowyer* gentleman, and his heirs, discharged from the uses of the said settlement; and for laying out the money arising by such sale in the purchase of other lands and hereditaments, to be settled in lieu thereof to the same uses.

53. An act for vesting the share and interest of *George Rich* Esquire, second son of *Sir Robert Rich* Baronet, deceased, of and in 6000*l.* (which, by the settlement made on the marriage of the said *Sir Robert Rich*, with dame *Elizabeth Rich*, his now widow, was secured for the benefit of their younger children) in the executors of the said *Sir Robert Rich*, as part of his personal estate, pursuant to a codicil to his will, made for that purpose.

54. An act for sale of the settled estate of the honourable *George Hobart*, in the county of *Leicester*; and for investing the monies to arise from such sale, in the purchase of other lands, to be settled to the like uses.

55. An act for establishing and confirming an exchange of divers lands and hereditaments, in the parish of *Dovebridge*, in the county of *Derby*, for other lands and hereditaments, in the same parish, pursuant to an agreement between *John Fitzherbert* clerk, master of arts, vicar of the vicarage and parish church of *Dovebridge*, within the diocese of *Litchfield* and *Coventry*, and *Sir Henry Cavendish* Baronet, by and with the consent of the patron of the said vicarage, and the ordinary of the diocese.

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56. An act for empowering the guardians named in the will of *William Throckmorton Bromley Esquire*, deceased, to make sale of timber growing upon part of his settled estates; and for investing the money thereby arising in the purchase of lands for the benefit of his infant children.

57. An act for establishing, ratifying, and confirming, all sales, partitions, and divisions, made, or to be made, by virtue of the powers or authorities contained in the several marriage settlements of *Sir Walter Blount Baronet*, and the honourable dame *Mary* his wife, and of the honourable *Thomas Clifford* the elder, and the honourable *Barbara* his wife, and for other purposes.

58. An act to explain and amend an act, passed in the eleventh year of the reign of his majesty King *George* the first, intituled, *An act for vesting in trustees several lands, tenements, and hereditaments, in the counties of York and Derby, for the maintenance of the poor persons in the hospital of Gilbert Earl of Shrewsbury, long since deceased, situate at Sheffield, in the said county of York; and for enlarging the buildings of the said hospital, and adding more poor persons to those already established therein; and for enlarging the powers contained in the said act, and for other purposes.*

59. An act for dividing and inclosing certain open fields, meadows, pasture leys, and stinted common pastures, in the township and parish of *Matton*, in the county of *Lincoln*.

60. An act for dividing and inclosing the open and common fields, at *Little Stretton*, in the parish of *Norton*, and county of *Leicester*.

61. An act for dividing and inclosing the open and common fields, meadows, pastures, and commonable lands and grounds, within the liberties of *Stoke Goldington*, in the county of *Bucks*.

62. An act for dividing and inclosing certain open and common fields, commonable lands, and waste grounds, within the manor and parish of *Souldrop*, in the county of *Bedford*.

63. An act for dividing and inclosing the open fields, meadows, common pasture, and all other open, common, and waste lands, in the parish of *Normanton upon Soar*, in the county of *Nottingham*.

64. An act for dividing and inclosing the open and common fields, common pastures, and other commonable lands and grounds, within the parish of *Saint Neot's*, in the county of *Huntingdon*.

65. An act for dividing and inclosing the common fields, and other commonable lands and grounds, within the manor and parish of *Abington Pigotts*, otherwise *Abington in the clay*, in the county of *Cambridge*.

66. An act for dividing, allotting, and inclosing, the open and common fields, and the *Midsummer* and *Lammas* and other commonable meadows, pastures, and grounds, and the common or waste ground called *Aulcester Heath*, within the manor of *Aulcester*, in the county of *Warwick*.

67. An act for dividing and inclosing the open fields, meadows, common pastures, and waste grounds, within the townships

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ships of *Westborough* and *Doddington*, in the parish of *Westborough cum Doddington*, in the county of *Lincoln*.

68. An act for dividing and inclosing certain open fields, lands, and commons, within the township and parish of *Great Useburn*, in the west riding of the county of *York*.

69. An act for dividing and inclosing the open and common fields, common meadows, downs, commons, and other commonable lands, in the parish of *Ashbury*, in the county of *Berks*.

70. An act for dividing and inclosing the open and common fields, downs, and other commonable lands and waste grounds, in the parish of *Notgrove*, in the county of *Gloucester*.

71. An act for dividing and inclosing certain open fields, lands, and grounds, within the township of *East Newton*, in the parish of *Aldborough*, in *Holdernefs*, in the county of *York*.

72. An act for dividing certain commons, or wastes, in the parish of *Saint Mary Newington*, commonly called *Newington Butts*, in the county of *Surrey*, and disposing of the same for the benefit of the poor of the said parish.

73. An act for dividing, allotting, and inclosing, the open fields and commonable places, in the parish of *Foxton*, in the county of *Leicester*.

74. An act for vesting the settled estates of *John Earl of Clanricarde*, in the kingdom of *Ireland*, in trustees, discharged of the uses and trusts of his marriage articles, and a voluntary settlement made by him; and for resettling the same to the several uses, and upon the trusts, therein mentioned.

75. An act for vesting a messuage in *Pall Mall*, and the pictures and furniture thereunto belonging, in *George Earl of Orford*, discharged from certain trusts created thereof; and for settling freehold lands, in the county of *Norfolk*, of greater value, in lieu thereof, to the uses therein mentioned.

76. An act to enable the surviving executor named in the will of *William Lock* Esquire, deceased, to lay out the residue of the personal estate of the said *William Lock*, or some part thereof, in the purchase of estates in *Ireland*, to be conveyed, settled, and assured, to the uses, upon the trusts, and for the intents and purposes, and subject to the powers and provisos, mentioned, declared, and contained, in and by the said will, instead of laying out the same in the purchase of estates in *England*, as by the said will is directed.

77. An act for enabling *Thomas Cartwright* esquire to sell, in fee simple, part of the settled estates of the said *Thomas Cartwright*, to discharge incumbrances; and for settling the remainder of the said estates to the several uses therein mentioned.

78. An act for vesting the freehold estates, late of *James Nelthorpe* esquire, deceased, in trustees, in order that the same, or a sufficient part thereof, may be sold, to raise money, to be applied to pay off the debts and incumbrances charged upon and affecting the same; and for laying out the surplus of the purchase money upon the trusts, and for the purposes therein expressed.

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79. An act for confirming a jointure made by *John Martin* esquire, under a power contained in the will of *James Martin* esquire, deceased, and rendering the same power more effectual.

80. An act for sale of part of the settled estates late of *Richard Champneys* esquire, deceased, for payment of his debts and legacies; and for other purposes therein mentioned.

81. An act for vesting certain manors and lands, in the county of *Norfolk*, part of the settled estates of *Charlotte* countess of *Aylesford*, and her issue, in *Heneage* earl of *Aylesford*, and his heirs; and for settling other manors, lands, and hereditaments, in the county of *Warwick*, the estates of the said earl, of greater and better value, to the like uses, in lieu thereof.

82. An act for vesting several messuages, or tenements, and hereditaments, situate and being in *Stable Yard Street*, in the parish of *Greenwich*, in the county of *Kent*, lately the estate of *Thomas Elvey* bricklayer, deceased, in trustees, to be sold to the commissioners, or governors, and directors of the royal hospital for seamen at *Greenwich*, for the use of the said hospital; and for applying the money arising by such sale in the purchase of other lands, tenements, and hereditaments, to be conveyed to such uses as the said messuage or tenements do now stand limited.

83. An act to enable *Charles Anderson* (now called *Charles Pelham*,) *Charles Anderson* the uncle, and *Evelyn Anderson*, esquires, to make jointures, upon their respective marriages, out of the estates devised to them by the will of *Charles Pelham*, late of *Brocklesby*, in the county of *Lincoln* esquire, deceased.

84. An act for vesting the two undivided fourth parts of *Priscilla Allet* (the wife of *John Allet* esquire) and of *William James Warner*, *Samuel George Warner*, *Rebecca Warner*, and *Mary Jane Charlotte Warner*, the only children of *Alice Warner* (the late wife of *William Warner* gentleman,) of and in the manors or reputed manors of *Great Bourton* and *Little Bourton*, and divers messuages, lands, and hereditaments, in the parishes of *Great Bourton* and *Little Bourton*, in the county of *Oxford*, in trustees, to sell and convey the same to *William Prowett* gentleman; and for laying out the money arising by such sale in three pounds *per centum* consolidated bank annuities, to be secured and transferred in manner therein mentioned.

85. An act to confirm, and render valid and effectual, a partition of divers manors, lands, and hereditaments, in the several counties of *Somerset*, *Wilts*, *Worcester*, *Dorset*, *Surrey*, and *Middlesex*, and in the city of *London*, late the estates of *Thomas Prowse* esquire, deceased, and which, upon the death of *George Prowse* esquire, his only son, devolved upon, and vested in, the two daughters and coheiresses of the said *Thomas Prowse* deceased; and for settling and assuring the manors, lands, and hereditaments, which, upon the said partition, have been allotted as the specific part or share of each of the said daughters, to the several uses therein limited.

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86. An act for dividing and inclosing several common fields, meadow grounds, common pastures, and other uninclosed grounds, within the township or territories of *Upper Dunsforth* and *Branton*, in the county of *York*.

87. An act for inclosing several open and common fields, and commonable lands, in the manor and parish of *Welton*, in the county of *Lincoln*.

88. An act for dividing and inclosing the open arable fields, meadows, grounds, commons, pastures, and other commonable lands and grounds, within the manor of *Comberford* and *Wiggington*, or prebends of *Wiggington* and *Coton*, in the county of *Stafford*.

89. An act for dividing and inclosing the open and common fields, common meadows, common pastures, a cow pasture, and other commonable lands, within the parishes of *Great Carlton* and *Castle Carlton*, in the county of *Lincoln*.

90. An act for dividing and inclosing the open and common fields, meadows, pastures, and grounds, within the township of *Great Cowden*, in the several parishes of *Mapleton* and *Aldbrough*, in *Holderness*, in the east riding of the county of *York*.

91. An act for dividing and inclosing the open arable fields, meadows, pastures, commons, and waste grounds, in the parish of *Mattersey*, in the county of *Nottingham*.

92. An act for dividing and inclosing certain open fields, common pastures, and open lands and grounds, within the township of *Easington*, in *Holderness*, in the *East Riding* of the county of *York*.

93. An act for dividing and inclosing certain open and common fields, meadows, pastures, and other commonable lands and grounds, in *East Hesserton*, in the parish of *West Hesserton*, in the *East Riding* of the county of *York*.

94. An act for dividing and inclosing such of the open parts of the district called the forest of *Knareborough*, in the county of *York*, as lie within the eleven constableries thereof; and for other purposes therein mentioned.

95. An act to enable the right honourable *James Grenville*, the right honourable *Robert Craggs* lord viscount *Clare*, and the right honourable *Welbore Ellis*, to take, in *Great Britain*, the oath of office, as vice treasurer, and receiver general, and paymaster general, of all his Majesty's revenues in the kingdom of *Ireland*, and to qualify themselves for the enjoyment of the said offices.

96. An act to enable the right honourable *Robert* lord viscount *Clare*, the right honourable *Welbore Ellis*, and the right honourable *George* lord *Edgewumbe*, to take, in *Great Britain*, the oath of office, as vice treasurer, and receiver general, and paymaster general, of all his Majesty's revenues in the kingdom of *Ireland*, and to qualify themselves for the enjoyment of the said offices.

F I N I S.

THE STATUTES at Large, &c.

Anno regni GEORGII III. Regis Magnæ Britanniae, Franciae, & Hiberniae, octavo.

AT the parliament begun and holden at Westminster, the nineteenth day of May, Anno Dom. 1761, in the first year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the twenty fourth day of November, 1767, being the seventh session of the twelfth parliament of Great Britain.

CAP. I.

An act to continue and amend an act made in the last session of parliament, to prohibit, for a limited time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour.

WHEREAS it is expedient that the law herein after mentioned should be continued and amended; May it therefore

please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the last session of parliament, intituled, *An act to prohibit, for a limited time, the exportation of corn, grain, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour*, shall continue, and shall be in full force and effect, and be carried into execution, until the twentieth day after the commencement of the next session of parliament; except such parts of the said act as are herein after varied or altered.

Preamble.

Recited act continued till 20 days after the commencement of next session of parliament, &c.

II. Provided always, and be it further enacted by the authority aforesaid, That this act shall not extend to any wheat, flour, malt, barley, bread, biscuit, or pease, to be transported out of or from the port of Southampton only, unto the islands of Jersey,

But this act is not to extend to such wheat, and other articles here enumerated.

ted, as shall be transported from Southampton, to Jersey, Guernsey, and Alderney, for the use of the inhabitants there.

The exporter giving security for the due landing thereof,

and returning a certificate within the time limited in the said act; and so as the quantity do not exceed in the whole 5000 quarters.

Nor is it to extend to such wheat, &c. as shall be transported from Whitehaven or Liverpool to the Isle of Man, for the use of the inhabitants there;

The exporter giving security, &c.

and returning a certificate, &c.

and so as the quantity shipped from both ports do not exceed 2,500 quarters in the whole, &c.

Nor is to extend to such wheat, &c.

Guernsey, and Alderney, or any of them, for the only use of the inhabitants of those islands; so as the exporter, before the lading of such commodities, or laying the same on board, do become bound, with other sufficient security, in treble the value thereof, which the customer or comptroller of the same port hath hereby power to take in his Majesty's name, and to his Majesty's use, and for which security no fee or reward shall be given or taken, that such commodities shall be landed in the said islands of Jersey, Guernsey, and Alderney, or one of them (the danger of the seas only excepted) for the use of the inhabitants there, and shall not be landed or sold in any other parts whatsoever; and to return the like certificates of the landing the same there, as are required by the said act made in the last session of parliament on the exportation of the said commodities to the *British* colonies in *America*, and within the time for that purpose in the said act mentioned; and so as the quantity of wheat, flour, malt, barley, bread, biscuit, and pease, which at any time or times after the passing of this act, and during the continuation thereof, shall be shipped at the said port for the said islands, or either of them, as aforesaid, doth not exceed in the whole five thousand quarters; any thing in the said act contained to the contrary notwithstanding.

III. Provided also, That this act, or the said former act, shall not extend to any wheat, barley, oats, meal, or flour, to be transported out of or from the ports of *Whitehaven* or *Liverpool* only into the *Isle of Man* for the only use of the inhabitants of that island; so as the exporter, before the lading of such wheat, barley, oats, meal, or flour, or laying the same on board, do become bound with other sufficient security in treble the value thereof (which the customer or comptroller of either of the said ports respectively hath hereby power to take in his Majesty's name, and to his Majesty's use) (for which security no fee or reward shall be given or taken) that such wheat, barley, oats, meal, or flour, shall be landed in the said *Isle of Man* (the danger of the seas only excepted) for the use of the inhabitants there, and shall not be landed or sold in any other parts whatsoever; and to return the like certificates of the landing the same there, as are required by the said act made in the last session of parliament on the exportation of the said commodities to the *British* colonies in *America*, and within the time for that purpose in the said act mentioned; and so as the whole quantity of wheat, barley, oats, meal, and flour, which at any time or times after the passing of this act, and during the continuation thereof, shall be shipped at both the said ports for the said *Isle of Man*, shall not exceed in the whole two thousand five hundred quarters; one moiety thereof to be exported from the said port of *Whitehaven*, and the other moiety thereof to be exported from the said port of *Liverpool*: any thing in the said act contained to the contrary notwithstanding.

IV. Provided also, That nothing in this act contained shall extend to prohibit the committee of merchants trading to *Africa* from

from exporting, during the continuance of this act, any quantity of wheat flour not exceeding two hundred quarters, or any quantity of bread or biscuit not exceeding fifteen tons in the whole of such bread or biscuit, or of such bread and biscuit together, to the *British* forts, castles, and factories, in *Africa*, for the support of the persons residing there; so as the like security be given for the exporting thereof as is required by the said act to be given by persons carrying the said commodities to the *British* colonies in *America*.

exported by the African company to *Africa*, not exceeding a certain quantity of each fort, &c.
Security being first given.

V. Provided always, and be it enacted by the authority aforesaid, That no corn, grain, meal, malt, flour, bread, biscuit, or starch, which shall be exported by virtue of this act, shall be intitled to any of the bounties or drawbacks which are allowed and made payable on the exportation of such commodities, or any of them.

None of the commodities so exported are intitled to any drawback.

VI. Provided nevertheless, That the said continuation may be abridged or shortened; and this act, and the said former act, or both or either of them, or any part thereof, may be altered and varied by any other act or acts to be made in this present session of parliament.

Provision for abridging the continuation, or altering the said act.

C A P. II.

An act to continue several acts made in the last session of parliament, for allowing the importation of wheat, wheat flour, barley, barley meal, pulse, oats, oatmeal, rye, and rye meal, duty free; and also so much of an act made in the same session as relates to the free importation of rice from his Majesty's colonies in North America; and to allow the importation of wheat and wheat flour from Africa, for a limited time, free of duty.

WHEREAS it is expedient that the laws herein after mentioned should be continued; May it therefore please your Majesty, that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the several acts made in the last session of parliament; that is to say, an act, intituled, *An act for allowing the importation of wheat and wheat flour from his Majesty's colonies in America, into this kingdom, for a limited time, free of duty*; and also so much of an act, intituled, *An act for allowing the free importation of rice, sago-powder, and vermicelli, into this kingdom, from his Majesty's colonies in North America, for a limited time, as relates to the importation of rice*; shall continue, and shall be in full force and effect, and be carried into execution, until the first day of January, one thousand seven hundred and sixty nine; and an act, intituled, *An act for further allowing the importation of wheat and wheat flour, barley, barley meal, and pulse, free of duty, into this kingdom from any part of Europe*; and also an act, intituled, *An act for allowing the importation of oats, and oatmeal,*

Preamble.

Recited act continued, with respect to the importation of rice until 1 Jan. 1769.

Also the two acts here recited, further continued till 20 days after rye, the com-

mencement of the next session of parliament. *rye and rye meal, into this kingdom, for a limited time, free of duty shall continue, and shall be in full force and effect, and be carried into execution, until the twentieth day after the commencement of the next session of parliament.*

6d. per lb. on the re-exportation of all rice imported duty-free,

II. And be it further enacted by the authority aforesaid, That for and upon all rice which shall be imported into this kingdom duty-free by virtue of this act, and which shall be again exported thereout, there shall be paid and answered to his Majesty, his heirs and successors, a subsidy of poundage of six pence in the pound, according to the value or rate set upon rice imported in the book of rates referred to by the act of the twelfth year of King *Charles the Second*; which said subsidy of six pence in the pound upon such rice so exported, shall be raised, levied, collected, and recovered, by such ways and means, and under such rules, regulations, penalties, and forfeitures, as the subsidy of poundage for any goods or merchandizes exported from *Great Britain* may be raised, levied, collected, or recovered, by any act of parliament now in force, as fully and effectually, to all intents and purposes, as if the several clauses, powers, directions, penalties and forfeitures, relating thereto, were particularly repeated and re-enacted in the body of this present act; and that such duties shall (the necessary charges of management excepted) be paid into the receipt of his Majesty's exchequer, and be there reserved for the disposition of parliament.

to be paid into the exchequer, and reserved for the disposition of parliament.

Wheat and wheat flour allowed to be imported duty-free from Africa by any of his Majesty's subjects, &c. at any time before 1 Jan. 1769.

III. Provided also, and be it enacted by the authority aforesaid, That it shall be lawful to and for any of his Majesty's subjects to import into *Great Britain*, in any ship or vessel navigated according law, at any time or times before the first day of *January*, one thousand seven hundred and sixty nine, any wheat or wheat flour from any part of *Africa*, without the payment of any subsidy, custom, duty, or imposition whatsoever; any thing in any former or other act or acts of parliament to the contrary thereof in any wise notwithstanding.

Due entry to be made of all commodities so imported;

IV. Provided also, and be it further enacted by the authority aforesaid, That due entries shall be made in such manner and form as were used or practised before the commencement of the last session of parliament, of the said commodities which shall be imported into this kingdom by virtue of this act, at the custom-house belonging to the ports of importation; or, in default thereof, the commodities so imported, and whereof such entries shall not be made, shall be subject and liable to such and the same duties as would have been payable thereon, in case the free importation thereof had not been allowed; and that all such wheat, wheat flour, barley, barley meal, pulse, oats, and oatmeal, and rye and rye meal, may be carried coastwise, during the continuance of this act, under the same regulations as the like articles, being the growth of this kingdom, are allowed to be carried coastwise; any thing in any act or acts of parliament contained to the contrary notwithstanding.

otherwise they are liable to pay duty.

The said commodities may be carried coastwise.

Provision for abridging the

V. Provided nevertheless, That the said continuances or any of them, may be abridged or shortened; and this act, and the said

said former acts, or any of them, or any part thereof, may be altered and varied by any other act or acts to be made in this present session of parliament.

continuations
or altering the
said acts.

CAP. III.

An act for the free importation of Indian corn, or maize, from any of his Majesty's colonies in America, for a time therein limited.

WHEREAS the importation of Indian corn, or maize, from any of his Majesty's colonies in America, into Great Britain, for a limited time, duty free, may be of advantage to this kingdom:

Preamble.

May it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for any person or persons whatsoever to import any Indian corn, or maize, from any of his Majesty's colonies in America, into Great Britain, at any time or times before the first day of February, one thousand seven hundred and sixty nine, without the payment of any subsidy, custom, duty, or imposition whatsoever; and that the same may also be carried coastwise, under such regulations as wheat and wheat flour of the growth of this kingdom are now allowed to be carried coastwise, at all times before the said first day of February, one thousand seven hundred and sixty nine; any thing in any former or other act or acts of parliament to the contrary thereof in any wise notwithstanding.

Indian corn,
or maize, al-
lowed to be
imported from
any of his Ma-
jesty's colonies
in America,
duty free,
at any time
before 1 Feb.
1769, &c.

II. Provided always, and be it further enacted by the authority aforesaid, That a due entry shall be made, in such manner and form as were used or practised before the making of this act, of all Indian corn, or maize, which shall be imported or brought into this kingdom before the said first day of February, one thousand seven hundred and sixty nine, at the custom-house belonging to the port into which the same shall be imported or brought in; or otherwise, in default of making such entry, such Indian corn, or maize, shall be liable and subject to such and the same duties as were payable upon the importation thereof before the making of this act; any thing in this act contained to the contrary notwithstanding.

Provided a
due entry be
made thereof;

otherwise to
be liable to
pay duties.]

CAP. IV.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty eight.

CAP. V.

An act to explain, amend, and render more effectual, an act passed in the seventh year of his present Majesty's reign, intituled, An act to explain, amend, and reduce into one act of parliament, the several statutes now in being for the amendment and preservation of the publick high-

ways of this kingdom ; and for other purposes therein mentioned.

Preamble, reciting a clause and proviso in an act of the last session.
c. 40.

The recited clause and proviso repealed.

Restrictions in the recited act, concerning the number of horses, not to extend to carriages employed in carrying any of the particulars herein mentioned.

Act 14 and 15 Hen. 8. and 26 Hen. 8. which were repealed by the recited act of the last session, are revived and to be in full force.

Nothing in the recited or present act, touching the making and returning lists of persons qualified to be

WHEREAS by an act passed in the seventh year of his present Majesty's reign, intituled, An act to explain, amend, and reduce into one act of parliament, the several statutes now in being for the amendment and preservation of the publick highways of this kingdom ; and for other purposes therein mentioned ; it is, among other things, enacted and declared, That no waggon, having the wheels bound with streaks or tire of a less breadth than two inches and a half, when worn, or being set and fastened on with rose-headed nails, shall go or be drawn with more than three horses ; and that every owner or driver of any such waggon shall forfeit and lose all such horses above the number three, with all gears, bridles, halters, and accoutrements, to the sole use and benefit of any person or persons who shall seize or distrain the same ; with a proviso next after the said clause, containing particular restrictions as therein mentioned : and whereas great inconveniencies have arisen, and may arise, from the said clause, which require an immediate remedy : therefore, for preventing thereof for the future, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That as well the said clause as the said proviso, and every thing therein respectively contained, shall be, and the same is and are hereby repealed and made void to all intents and purposes.

II. Provided always, and be it further enacted, That nothing in the said recited act contained concerning the number of horses, shall extend, or be construed to extend, to any carts, waggons, or other carriages employed only in carrying any one stone, block of marble, cable rope, piece of metal or timber, or to such ammunition or artillery as shall be for his Majesty's service.

III. And whereas in and by the said act, an act passed in the fourteenth and fifteenth of King Henry the Eighth, for altering highways in the weld of Kent ; and an act passed in the twenty sixth year of the said King, intituled, A bill for the highways in the county of Sussex, are repealed : and whereas great benefits have arisen to the highways of the said counties of Kent and Sussex, from the exercise of the powers given by the said acts last mentioned : therefore be it hereby further enacted, That the said last mentioned acts shall be, and the same are hereby revived, and shall be and remain in full force and effect to all intents and purposes whatsoever.

IV. And be it further enacted by the authority aforesaid, That nothing in the said recited act or this act contained, touching the making and returning lists of qualified persons to be surveyors of the highways, and the appointment of such surveyors, nor the repeal of part of an act made in the third year of King William and Queen Mary relating to such surveyors, shall extend, or be construed, deemed, or taken to extend, to the city of Bristol ;

Bristol; but that the several acts of parliament which have been passed previous to the said act of last session relative to surveyors of the highways, and to cleansing, paving, lighting, and regulating, the streets and other places within the said city, shall remain in full force, and be executed in as full and ample manner and form, to all intents and purposes, as the same might or ought to have been, if neither the said act of last session, nor this act, had ever been made; and the competent number of qualified persons, of which a list is directed by the said act of the third of King *William* and Queen *Mary* to be returned for each parish to the justices at their special sessions, in order for the appointment of surveyors, is hereby declared, so far as concerns the city of *Bristol*, shall be ten at the least; and that all appointments of such surveyors that have been made within the said city by virtue of the said act of last session, shall from henceforth be void.

surveyors of the highways, and the appointment of such surveyors; nor the repeal of part of the act of 3 Wil. & Mary, relating to such surveyors, are to extend to the city of *Bristol*, but the several acts, previous to the recited act of the last session, relative to surveyors, are to be in force, and fully executed. The number of qualified persons, directed by act 3 Wil. & M. to be returned, in the lists for each parish, to the justices, as far as concerns *Bristol*, is to consist of 10 at the least; and all appointments of surveyors, within the said city, under the act of the last session, are from henceforth declared void.

C A P. VI.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose; and to indemnify members, and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid, and for allowing them time to provide admissions duly stamped.

Preamble, reciting the several qualifying acts of 1 Geo. 1. 13 Car. 2. 25 Car. 2. 30 Car. 2. 8 Geo. 1. 9 Geo. 2. 18 Geo. 2. and 6 Geo. 3. Persons, who at, or before, the passing of this act, have omitted to qualify themselves for offices and employments, as the laws direct, &c. and who shall duly qualify themselves on or before 25 Dec. 1768, are indemnified for any such previous omission, and recapacitated; and all elections and acts done, or to be done, by them, &c. are declared to be as valid, as if they had before duly qualified themselves as the said several acts direct; except in such cases where final judgement hath been given in any court for the penalty incurred by any such omission. Town clerks, and other publick officers, and persons whose appointments, and admissions, or entries of admissions in the court books, may not have been provided; or not duly stamped; or which have been lost or mislaid; providing, &c. the same on or before 25 Dec. 1768, are confirmed in their offices, and indemnified, notwithstanding such omission. Offices, &c. already avoided by judgement of a court, and legally filled up, confirmed. Persons sued may plead the general issue.

C A P. VII.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

Preamble. Number of forces 17,253, including 2,460 invalids. After 24 March 1768, during the continuance of this act, every officer and private man, who shall mutiny or desert, &c. or list in any other regiment, &c. or shall be found sleeping on, or shall desert, his post, or hold illegal correspondence with the enemies of his Majesty, or shall strike, or disobey his superior officer; shall suffer death, or such punishment as a court-martial shall inflict. The king may grant a commission to hold a court-martial, &c. Courts-martial may inflict corporal punishment for immorality, &c. General court-martial may not consist of less than 13; (except

within the garrisons of Goree and Senegal, &c.) and the president to be a field officer or officer next in seniority, not under the degree of a captain; (except in the garrisons of Goree and Senegal, where they are to consist of 5 at least;) may administer an oath to witnesses. Officers to be sworn. The oath. The oath. The judge advocate to be sworn. The oath. In sentences of death, the number of officers to concur, &c. Hours of trial. Deserter may be adjudged to serve in any corps abroad for life, or a term of years; but returning without leave before expiration of such term, he shall suffer death. The party tried, intitled to a copy of the sentence and proceedings of the court-martial. Original proceedings, &c. of courts-martial to be transmitted to the judge advocate general in London, &c. None to be tried a second time for the same offence, except in case of appeal. This act not to exempt soldiers from ordinary process. Penalty on false certificates to excuse soldiers from musters. Penalty on officers making false musters, &c. Fictitious names allowed by his Majesty's order upon the muster-rolls, for the maintenance of officers' widows, not to be construed a false muster. Muster-master to give notice of muster to mayor, &c. Penalty on muster-master neglecting so to do. Muster-rolls to be signed by the mayor, &c. Penalty on persons offering themselves to be falsely mustered. Horses falsely mustered, to be forfeited, &c. Forfeiture how to be levied. Officer embezzling, &c. military stores, to be cashiered, and forfeit 100*l.* and the damage to be made good by sale of his goods and chattels; for want of distress, the person to be committed. Application of the forfeiture. Muster-master, &c. taking a muster, to make oath. The oath. Muster-rolls, though transmitted without the oath indorsed to the paymasters general, to be good vouchers to the auditor. Penalty on agent, &c. detaining officer's or soldier's pay. Weekly rates. Penalty on agents disobeying of orders. Surgeon, &c. within ten miles of London, &c. to certify who are sick; and commanding officer, who are employed in raising recruits. Penalty on officer mustering persons by wrong names. Constables, &c. to quarter officers and men in inns, ale-houses, &c. But in no distillers houses, or shopkeepers, or in any private houses. Penalty on constables, &c. quartering soldiers in private houses, &c. Penalty on officers quartering soldiers contrary to this act, &c. Persons aggrieved by being quartered on, may complain to any justices, and be relieved. No justice having any military office, to be concerned in billeting his soldiers. Officers and soldiers to pay rates for their provisions. What inn-holders may allow men quarter'd on them, instead of meat. Penalty on taking money to excuse any person from quartering. Dragoons, &c. and their horses, to be billeted in the same house. Manner of changing men and horses. Clause relating to a soldier's settlement for his wife and children. Officers, &c. to be quartered in Scotland as the laws in force at the union direct. No paymaster, &c. to make deductions out of officers or private mens pay. Exceptions. Treasury may issue out the money due for clothing, every two months. Paymasters to deduct the off-reckonings. Officers to give notice to innkeepers of subsistence-money in their hands. Rates of subsistence to be paid to innkeepers, &c. for soldiers quarters. Penalty on officers not paying subsistence money. On nonpayment of quarters, the officers to make up accounts, &c. No muster in Westminster, &c. but in the presence of two or more justices. Constables, &c. may billet soldiers in Westminster, &c. Petty constables, &c. to quarter soldiers in their respective divisions. Constables, &c. to deliver lists at quarter sessions, on oath, of inhabitants, and soldiers quartered in their respective divisions; to be inspected without fee. Copies of such lists to be wrote by the clerk, at 2*d.* per sheet, containing 150 words. Penalty on default. Penalty on giving defective lists. How to be levied. This act to extend to Jersey, &c. Muster-rolls to be closed on day of muster, and returned to the paymaster of the forces, &c. Penalty. Justices may order constables to provide carriages. Rates for carriages. Penalty on officers forcing waggons to travel more than one day's journey, &c. Penalty on constables, &c. neglect. Treasurers of the county to repay the constable's extraordinary charges. The money for those purposes how to be raised. No waggon, &c. to carry above 30 hundred weight. Carriages in Scotland how to be provided. Soldiers wives, &c. not to be quartered without consent. Penalty. Penalty on officers or soldiers

soldiers destroying the game. How the account of every regiment shall be kept. Penalty on paymasters, &c. Penalty on colonels. Non-commissioned officer embezzling soldier's pay, to be reduced, &c. Justices may commit deserters. Reward for taking up deserters. Penalty on persons concealing deserters, or buying their arms, clothes, &c. Penalty on officer breaking open house without warrant. His Majesty impowered to make articles of war. None to be adjudged of life or limb, but for crimes expressed to be so punishable by this act. Deserters beyond sea, &c. may be tried here or in Ireland. This act to extend to deserters, &c. in Ireland, &c. Persons acquitted by the civil magistrate, may only be cashiered by a court-martial. Persons accused of capital crimes, &c. to be delivered over to the civil magistrate, &c. Paymasters, &c. to account with executors. Persons sued may plead the general issue. Treble costs. All suits to be brought in some of the courts of record at Westminster or Dublin, or the court of session in Scotland. Continuance of this act. Penalties against the act 1 George 1. where to be sued for. No volunteer liable to process, unless for some criminal matter, or unless for a real debt of the value of 10 l. Oath of the debt to be made before a judge, and a memorandum thereof marked on the back of the process. Plaintiff may file a common appearance. Penalty on taking money to excuse any person from quartering; or victuals refusing to quarter soldiers. Justices may order constables to give an account of the number of soldiers quartered, &c. How the troops are to pay in passing over ferries in Scotland. Clause for relief of persons hastily lifting themselves. Persons refusing the said relief, to be proceeded against as if duly inlisted. Offences against former mutiny acts punishable by this act. None liable to be tried, &c. for offences against former acts, which were committed 3 years before issuing the warrant for trial; except for desertion. Officers, &c. of the trains of artillery subject to this act. American troops, acting in conjunction with British forces, liable to the same martial laws. Officers and soldiers of the American troops sent over to Great Britain, to be quartered and billeted as the British forces, and under the same regulations and penalties. Where any corps beyond seas shall be relieved in order to return home, such of the men as shall choose may be inlisted, and incorporated with those appointed to remain; the occasion of quitting such former corps to be recited in the inlisting certificate. This act not to extend to the militia farther than is directed by the militia laws. As often as it shall be necessary, officers of the land and marine forces may sit in conjunction upon courts-martial; taking rank according to the seniority of their commissions.

C A P. VIII.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and sixty eight.

Preamble. 1,518,275 l. 6 s. & 8 d. 37. to be raised in Great Britain. 1,492,309 l. 15 s. & 10 d. 1 q. to be raised in England, in one year, from 25 March 1768. Personal estates (except desperate debts, stock on land, household goods, and loans to his Majesty) to pay 3 s. in the pound. Employments of profit (except military officers of the army or navy) to pay 3 s. per pound. Pensions and annuities out of the exchequer, &c. to pay, &c. Lands, tenements, mines, &c. to be charged with equality and indifference, &c. Lands, &c. subject to rent charges, annuities, &c. Commissioners of the land tax for the year 1763, to put this act in execution. Commissioners to meet on or before the 30th of April, 1768, as by the act 4 W. & M. and may subdivide themselves, &c. A list of the commissioners to act in each division, to be given to the receiver-general. Commissioners to summon fit persons to be assessors, who are to appear before them in 8 days; and then to give them a charge. Persons absenting, or refusing to serve, forfeit, not exceeding 5 l. nor less than 40 s. Assessors to be two at least, and sufficient inhabitants. Assessments to be brought in at a day and place prefixt. The full sum charged to be assessed. A certificate of the assessment to be brought in, with the collectors names. Assessors, &c. neglecting their duty, to be fined not above 40 l. Assessors to deliver one copy of the assessments to the commissioners. Duplicates thereof to be signed, &c. and one delivered to the

the collectors, &c. with warrant for collecting. Commissioners required to give collectors notice at what time and place the appeal of any person who shall think himself aggrieved, by being over-rated, may be heard and determined. A duplicate in parchment to be delivered, together with the names of the assessors and collectors, to the receiver-general; and one to the remembrancer's office, by 8 Aug. 1768, or 20 days after (all appeals first determined.) Remembrancer to give receipts *gratis*, on penalty of 20*l*. The rates to be levied on the parties, or premises, and to be paid to the receivers-general, &c. The money collected to be paid to the receiver-general, or deputies; and they to give commissioners notice. Collectors not obliged to travel above 10 miles. Removal or death of receiver-general to be notify'd to the commissioners. 373,077*l*. 8*s*. 11*d*. and 9 16th parts of a penny, for the first quarterly payment, to be paid to the receivers by 24 June, 1768. The second payment by 29 Sept 1768. The third payment by 25 Dec. 1768. The last payment by 25 March, 1769. Receiver-general within a month after receiving the full sum charged, to give the commissioners a receipt: which shall be a full discharge for payment. Receivers general within 20 days to pay the monies into the exchequer. Receiver-general allowed 2*d*. in the pound. Collectors to have 3*d*. in the pound. Commissioners clerks to have three halfpence in the pound. Collectors may levy by distress in case of refusal of payment. Distress to be kept four days at the owner's charge; then appraised and sold, and overplus returned, &c. Commissioners to determine differences about distress. For want of distress, offender may be committed. (Except a peer or peers of Great Britain.) Tenants to pay the tax, and deduct so much out of the rents. Tenants discharged for what they so pay. Commissioners to settle differences between landlord and tenant. Commissioners to cause all deficiencies to be re-assessed, and made good. Assessor refusing to serve, to forfeit, not exceeding 40*l*. Fine not to be discharged but by commissioners who imposed it; and levied by distress or imprisonment, and paid into the exchequer, and inserted in the duplicates. Collectors detaining the money, to be imprisoned, their estates seized and sold, &c. Commissioners to examine whether the sums assessed be duly collected, &c. In case of controversies in assessing commissioners, the commissioners concerned to withdraw. In default to be fined, not above 20*l*. No privileged place or person exempt from this tax. Fee-farm rents, &c. to be taxed. Tenants to pay the rates. Colleges, &c. in the universities, &c. not chargeable: Nor the houses or lands which before the 25th of March, 1693, did belong to Christ's Hospital, &c. Nor corporation of clergymen's sons, Bromley college, or any other hospitals. No tenants of hospitals, &c. to claim any exemption. Such tenants not discharged, who by leases are obliged to pay taxes. Commissioners to determine how far lands, &c. belonging to hospitals, &c. not exempted by name, ought to be charged. All hospitals lands, assessed by 4 W. & M. liable to this aid, and no other. Receivers of fee-farm rents, &c. to allow 3*s*. per pound to the parties, without fee, on penalty of 20*l*. Auditors, &c. setting tenants *in super* for what ought to be allowed, or refusing allowance, to forfeit 100*l*. Such fee-farm rents only to have an allowance of 3*s*. per pound, as are answerable to the crown, or were purchased according to 22 & 23 Car. 2. The owners to allow the same to the party paying. Lifts of pensions, &c. to be delivered *gratis* to the assessors. Taxes on pensions, &c. not paid, to be stoppt in the exchequer. A true account to be kept of the money stoppt. Persons to be taxed in the parish where they dwell. No proviso to lessen the full sum by this act to be levied. Contracts between landlord and tenant, touching taxes, not to be avoided. All places to pay where usually assessed. Weir Barnfield to be assessed in the lathe of Skray Com' Kent. Northmore Com' Oxon, in Bampton. Charlbury, &c. in Chadlington. Leeds, Com' Ebor. in Shyrack. Ombersley, Com' Worcester, in Oswaldslow hundred. Alderminster, in Oswaldslow hundred. Parish of Yardley, in Halfshire hundred. Forest of Clute, where the first 4*s*. aid was assessed, Upton, in Pershore hundred. Calder and Ayre, at Wakefield and Leeds. Inhabitants of apartments, &c. in Somerset House, to be assessed in the same proportion with those in Lancaster liberty. General issue. Treble costs. Where lands, &c. are unoccupied

occupied, and no distress found, collectors may distrain at any time after. Wood may be cut down, and sold for distress. (Timber trees excepted.) Tithes, tolls, &c. not paid within 6 days after demand, may be seized and sold. Receiver-general returning persons, who have paid the tax, to be in arrear, forfeits treble damages to the party grieved, and to his Majesty double the sum so returned. Commissioners to assess the assessors. None compelled to be assessors out of the limits of the city, &c. Assessments on foreign ministers houses to be paid by the landlords. In places extraparochial commissioners to nominate assessors and collectors, &c. No commissioners, &c. liable to any other penalties than such as are inflicted by this act. Commissioners not to act without taking the oaths appointed by 1 Geo. 1. and 6 Geo. 3. Acting before oaths taken, forfeit 200*l.* Officers to pay where employed, &c. Officers in Chancery to be assessed in the rolls liberty. Annuities where rated. Pensions, where payable. Personal estates, where persons resident, &c. Persons not householders, where resident. Absent persons to be rated where they were last resident. Goods, &c. to be assessed where they shall be. Persons doubly rated, discharged on certificate. Not to extend to Scotland, Ireland, Jersey, or Guernsey. Persons avoiding the tax charged treble. Householders to give an account of their lodgers, on forfeiture of 5*l.* Shares in the New River, &c. to pay 3*s.* per pound. Shares in the Fire Offices, and in the Lights, and the King's Printing House, to pay 3*s.* pound. Merchants, bank of England, Post-office, &c. to be paid by the governors. Governors, &c. of the river-waters, and water-works, refusing to pay, the collectors impowered to levy the sum by distress and sale. Papists 18 years of age not taking the oaths 1 W. & M. to pay double: Unless taken within 10 days after the commissioners first meeting. Persons 18 years of age refusing the oaths, to pay double. Commissioners to summon suspected persons, &c. Quakers to subscribe the declaration 1 W. & M. Commissioners to double assess papists, where assessors omit. Tenants discharged from double rates. King's Bench, Marshalsea prison, &c. to be assessed in Saint George's parish, &c. Officers of the Marshalsea court refusing to pay, &c. Collectors by warrant from commissioners may distrain. If no goods sufficient, officer to be imprisoned. Fleet prison to be assessed in St. Bride's. Officers at Stoke Damrel, near Plymouth to be assessed within the town of Plymouth, &c. Hospital at East Stonehouse to be assessed also within the town of Plymouth, &c. 20*l.* to be paid out of the sum assessed on the said officers, in aid of the assessment on East Stonehouse. Water-works in Southwark to be assessed in Surrey. Water-works in Westminster to be assessed there. Offices, &c. in Whitehall and St. James's to there be assessed. Collectors of the water works in Colchester chargeable. Collectors for the water-works in New Windsor chargeable. Patent officers to Bishopricks to pay where assessed in 1693. Commissioners appointed to act, without subdividing the parish of St. Andrew Holbourn, in Middlesex. The parish of St. George Hanover Square to be charged with a distinct quota from the parish of St. Martin in the Fields. Debates arising concerning the joint quota; the commissioners who are inhabitants of either parish to withdraw or be fined a sum not exceeding 20*l.* The parishes of St. John, St. Peter, and Berchington, to be charged in Dover liberty, according to the assessment 4 W. & M. Lands not worth 20*s.* per annum, not chargeable. Collectors keeping monies in their hands, to forfeit 40*l.* Receiver-general misapplying the monies to forfeit 500*l.* Commissioners of the treasury, &c. not to divert the payments into the exchequer. No *Noli prosequi*, &c. in any suit against this act. Commissioners to abate where lands are overcharged, and to re-assess, &c. or raise it on persons undercharged. Receiver-general answerable for deputies. Sub-collector not to travel above ten miles, &c. Receivers not nominating deputies, &c. to forfeit 100*l.* Commissioners for the county at large may act for any city, &c. Mayors, bailiffs, &c. to act as commissioners specially appointed. Members of parliament to be taxed at their mansion houses. First meeting for the west riding of York at Pontefract; north riding at Thirsk; east riding at Beverley. No commissioner capable to act in any county at large, unless rated at 100*l.* per annum, (Merioneth, Cardigan, &c. excepted.) Commissioners for Anglesea, &c. to act, if taxed at 60*l.* per ann.

Com.

Commissioners may act for any city, being inhabitants, or inns of court, &c. Attornies, &c. not to be commissioners without possessing 100 *l.* per ann. No commissioner of the city of London, or liberty of St. Martin le Grand, to act, unless rated at 20 *l.* per ann. of his own estate, &c. No commissioner of the city, &c. of Westminster to act, unless rated at 20 *l.* per ann. of his own estate. Persons disabled, presuming to act, to forfeit 50 *l.* Collectors of the new water-works in Exon chargeable. Her majesty the Queen not chargeable; nor her royal highness the Princess Dowager of Wales; nor their royal highnesses the dukes of Gloucester or Cumberland, or prince Amelia. Superannuated sea officers not to pay, &c. nor poor knights of Windsor. Residentiaries in what cases not chargeable. Nor 100 *l.* per ann. to the poor clergy of the isle of Man. Nor pages of honour. Receivers-general to give notice of failures in payment of the taxes. Commissioners for Lincoln to act in Lincoln Close. And for the county in St. Martin Stamford Baron. Auditor to keep a register, &c. Deputies to pay for principals, and on nonpayment liable to distress. Receiver-general to give a list of money received by him, at the time and place appointed. On refusal, to forfeit any sum not exceeding 20 *l.* Collectors may keep so much money as any two commissioners judge reasonable. No receiver to return an *insuper* upon any county, &c. after 3 years, for monies in arrear; but the same to be a debt on him and his securities. Sheriff, on writs of *Distringas*, to return issues after the rate of 5 *l.* per cent. of the sum set *insuper*; and process to issue thereupon, &c. Water-works in Shrewsbury chargeable. Who shall have the benefit only of overplus sums uncharged. Clause for the ease of protestants, to whom lands, &c. have come, which have been doubly taxed. Where lands formerly doubly taxed are liable only to a single assessment; commissioners, on complaint, to examine into the truth thereof, and to certify the same to the barons of the exchequer, before 29 Sept. 1768; who are to discharge the overplus before the last day of Nov. 1768. Certificates of the sums discharged to be produced to the commissioners at their next meeting. Commissioners may summon collectors, who have converted land tax monies to their own use, or their heirs, &c. and on examination may issue their warrants for paying such monies to his Majesty's use. The payments made according to the commissioners warrants, &c. shall be discharges to the collectors, or their heirs, &c. Collectors not paying, may be imprisoned, and their estates seized and sold. Arrears of former land taxes to be levied by the present commissioners. No receiver-general, or his agents, may sue the county for a robbery, unless the persons carrying the money be 3 in company. Tolls or duties on turnpikes not chargeable by this or any former act. Commissioners may, before 29 Sept. 1768, summon assessors, who have not charged their estates since 6 May, 1717, and examine them upon oath, and award satisfaction, to be levied and paid to the collectors. Commissioners, &c. to distinguish and set down the gross sums assessed for double taxes, to be transmitted in the exchequer. Assessments on the town of Cambridge to be raised on manors, &c. and on fishings, &c. on the river Cam. On whom, and when, yearly assessments on fairs, &c. to be collected. Distresses on default of payment, how to be levied. Tenants of booths, &c. to pay the rates, and deduct them out of their rents, &c. 35,965 *l.* 10 *s.* 10 *d.* 2 *q.* to be raised in Scotland, by an 8 months cess of 4,495 *l.* 13 *s.* 10 *d.* and five sixteenth parts of a penny, *per menssem*; to be rated as the tax roll now is or shall be settled by themselves. The first two months cess to be paid 24 June, 1768. Second 29 Sept. 1768. Third 25 Dec. 1768. Fourth 25 March, 1769. Commissioners for putting this act in execution in Scotland: and execution to be done as by the said acts. First meeting to be at the head burghs on 30 April, 1768. All clauses in former acts relating to the bringing in the cess, &c. to be in full force. No persons in Scotland holden to produce their receipts after 3 years. Debtor owing money in Scotland at 6 per cent. to retain a 6th part of 6 per cent. from 11 Nov. 1767, to 11 Nov. 1768. 35,965 *l.* 10 *s.* 10 *d.* 2 *q.* to be raised free of all charges, and to be paid at Edinburgh. No person to be a commissioner of the land tax in Scotland, who is not infeoff of 100 *l.* Scots per ann. real rent, in the county where he acts. Exception. Commissioners in Scot-

land

land to take the oaths, and subscribe the assurance. Provost, &c. of any royal borough may act as a commissioner. Clause of loan at 3 l. per cent. Tallies of loan to be struck, &c. Orders to be registered and paid in course. No fee for registering, &c. Penalty for undue preference. No undue preference, where tallies are dated or brought the same day: nor if subsequent orders be paid before such as were not demanded in course. Orders assignable. Commissioners of the treasury empowered to prepare any number of exchequer bills of one common sum, or different sums, in the principal monies. Bills to bear interest at 3 l. per cent. per ann. These bills to be numbered arithmetically. Treasury to direct the course of payment for loans or exchequer bills, and to appoint cheques, &c. The bills to be placed as cash in the exchequer. Clauses in the malt tax act relating to exchequer bills, extended to this. How the monies arising by this act shall be applied. Treasury on 29 Sept. 1769, to take an account of all monies raised and discharged. Unsatisfied monies to be paid out of the next aid, or out of the sinking fund. The monies to be replaced out of the first supplies. Deficiency of the land tax 6 Geo. 3. how to be supplied.

C A P. IX.

An act to continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time.

WHEREAS it is expedient that the law herein after mentioned should be continued and amended: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the fifth year of the reign of his present Majesty, intituled, *An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time*; which act was afterwards continued until the first day of February, one thousand seven hundred and sixty eight, shall continue, and shall be in force and effect, and be carried into execution, from the said first day of February, until the first day of February, one thousand seven hundred and sixty nine; except such parts of the said act as are herein after varied or altered.

Preamble.

II. Provided nevertheless, and be it further enacted, That from and after the first day of February, one thousand seven hundred and sixty eight, no subsidy, custom, imposition, rate, or duty whatsoever, shall be paid or payable upon, for, or in respect of, any of the goods or commodities which shall be imported into this kingdom by virtue of the said former act or this act; but that all such goods and commodities shall and may be freely landed; and the importers or proprietors thereof, or any other person or persons, shall not be subject to any penalty, forfeiture, or loss, or such goods or commodities liable to be seized or forfeited for or on account of such landing; any thing contained in the said former act to the contrary notwithstanding.

III. Provided nevertheless, That the said continuation may be shortening the

Act 5 Geo. 3.
further continued to 1 Feb.
1769;

and goods,
&c. imported
by virtue of
the recited or
present act,
to be duty
free, &c.

continuation,
or altering or
varying these
acts.

Salted provi-
sions allowed
to be import-
ed from the
British colo-
nies in Ameri-
ca duty free,
before 1 May,
1769.

be abridged or shortened, and this act and the said former act, or either of them, or any part thereof, may be altered and varied, by any other act or acts to be made in this present session of parliament.

III. And be it further enacted by the authority aforesaid, That from and after the first day of *February*, one thousand seven hundred and sixty eight, it shall and may be lawful for any person or persons to import into *Great Britain*, from the *British* dominions in *America*, at any time or times before the first day of *May*, one thousand seven hundred and sixty nine, any salted beef, pork, bacon, and butter, without the payment of any subsidy, custom, duty, or imposition whatsoever; any thing in any former act or acts of parliament to the contrary thereof in any wise notwithstanding.

CAP. X.

An act to enable his Majesty to licence a playhouse in the city of Bath.

Preamble.

WHEREAS a licenced playhouse is much wanted in the city of Bath; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of an act of parliament which passed in the tenth year of his late Majesty's reign, intituled, *An act to explain and amend so much of an act made in the twelfth year of the reign of Queen Anne, intituled, An act for reducing the laws relating to rogues, vagabonds, sturdy beggars, and vagrants, into one act of parliament; and for the more effectual punishing such rogues, vagabonds, sturdy beggars, and vagrants, and sending them whither they ought to be sent, as relates to common players of interludes; whereby all persons are discharged to represent any entertainment of the stage whatever, in virtue of letters patent from his Majesty, or by licence of the lord chamberlain of his Majesty's household for the time being, except within the liberties of Westminster, or where his Majesty is residing for the time being, be, and the same is hereby, repealed, with respect to the said city of Bath; and that it shall and may be lawful for his Majesty, his heirs, and successors, to grant letters patent for establishing a theatre or playhouse within the said city, which shall be intituled to all the privileges, and subjected to all the regulations, to which any theatre or playhouse in Great Britain is intituled and subjected.*

Clause in act
10 Geo. 2.
repealed, with
respect to the
city of Bath.

The crown
impowered to
grant letters
patent for
establishing a
theatre within
the said city.

CAP. XI.

An act for further regulating the proceedings of the united company of merchants of England trading to the East-Indies, with respect to the making of dividends.

Preamble.

WHEREAS it was found necessary, in the last sessions of parliament, for securing, as well the permanent interest of the united

united company of merchants of England trading to the East Indies, as the state of credit both private and public, from the mischiefs which must have ensued from an improper and improvident increase of the dividend of the said company, that the said company should, for a time, be restrained from making any further increase of their dividends beyond the rate at which it then stood payable, and to which it had then lately been increased: And whereas the time, for which such restriction was then laid, did expire at the beginning of this present session of parliament: Now, for as much as the farther interposition of parliament, for the same salutary purpose, is at this time necessary, be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That it shall not be lawful for any general court of the said company, at any time before the first day of February, one thousand seven hundred and sixty nine, to declare, or resolve upon, any increase of dividend beyond the rate of ten pounds *per centum per annum*, being the rate of the present dividend.

No increase of dividend, beyond 10l. per cent. per ann. to be resolved on at any general court of the company, before 1 Feb. 1769.

CAP. XII.

An act for the regulation of his Majesty's marine forces while on shore.

Preamble. After 25 March 1768, during the continuance of this act, every marine officer and private man on shore, who shall mutiny or desert, &c. or lift in any other regiment, &c. or shall be found sleeping on, or shall desert his post, or hold illegal correspondence with the enemies of his Majesty, or shall strike, or disobey his superior officer; shall suffer death, or such punishment as a court-martial shall inflict. The lord high admiral, or commissioners for executing that office, may grant a commission to hold general courts-martial, &c. Courts-martial may inflict corporal punishment for immoralities, &c. Lords, &c. of the admiralty empowered to make articles for punishment of mutiny and desertion, &c. and to constitute courts-martial. None to be adjudged of life or limb, but but for crimes expressed to be so punishable by this act. General court-martial not to consist of less than 13; and the president to be a field officer, or officer next in seniority, not under the degree of a captain. May administer an oath to witnesses. Officers to be sworn. The oath. The oath. The Judge advocate to be sworn. The oath. In sentences of death, nine officers to concur, &c. Hours of trial. The party tried, intitled to a copy of the sentence and proceedings of the court-martial. Original proceedings of the courts-martial, to be transmitted to the secretary of the admiralty, &c. None to be tried a second time for the same offence. Sentence not to be revised more than once. Deserters beyond sea, &c. may be tried here or in Ireland. This act not to exempt any on shore from ordinary process. Persons acquitted by the civil magistrate, may only be cashiered by a court-martial. Persons accused of capital crimes, &c. to be delivered over to the civil magistrate, &c. Fictitious names allowed by his Majesty's order upon the muster-rolls, for the maintenance of officers widows, not to be construed a false muster. Paymaster to pay the full pay of such men to the receiver. Constables, &c. to quarter officers and men in inns, ale-houses, &c. But in no distillers houses, or shopkeepers, or in any private houses. Penalty on officers quartering private men contrary to this act, &c. Persons aggrieved by being quartered on, may complain to any justices, and be relieved. Officers and marines to be furnished at the rates herein set for their provisions. What inn holders may allow men quartered on them, instead of meat. Penalty on taking money to excuse any person from quartering. Commanding officer may exchange marines in their quarters. Constables to billet the same accordingly. No paymaster, &c. to make deductions out of officers' or

or private men's pay. Exceptions. Officers to give notice to innkeepers of subsistence-money in their hands. Rates of subsistence to be paid to innkeepers, &c. for marines quarters. Officers not giving notice of subsistence-money, and paying quarters, paymaster to satisfy them out of the company's next pay, and officers to be cashiered. On moving from quarters the officer to make up accounts, and give certificates for money due, &c. Paymaster to pay the sum certified for. Officers, &c. to be quartered in Scotland, as the laws in force at the union direct. Justices to order constables to provide carriages for the marine forces on their march. Rates for carriages. Penalty on officers forcing waggons to travel more than one day's journey, &c. Penalty on constables, &c. neglect. Treasurers of the county to repay the constable's extraordinary charges. The money for those purposes how to be raised. No waggon, &c. to carry above 20 hundred weight. Carriages in Scotland how to be provided. Marines wives, &c. not to be quartered without consent. Penalty. Penalty on officers and marines destroying the game. Constables may apprehend deserters, and carry them before a justice. Justice to commit them, and transmit an account to the secretary of the admiralty. Gaol keeper to receive the subsistence of deserters. Reward for taking up deserters. Penalty on persons concealing deserters, or buying their arms, clothes, &c. This act to extend to deserters, &c. in Ireland. Continuance of this act. Offences against former acts may be enquired of and punished as under this act, provided no person be liable to be tried for offences committed 3 years before issuing the warrant for trial; except in cases of desertion only. No volunteer liable to process unless for some criminal matter, or unless for a real debt of the value of 10l. Oath of the debt to be made before judge, and a memorandum thereof marked on the back of the process; otherwise prisoner to be discharged, with costs. Plaintiff giving notice, may file a common appearance, and proceed to judgment and execution. Penalty on constables, &c. neglecting to quarter marines. Penalty on taking money to excuse any person from quartering, and on victuallers refusing to receive marines. To prevent abuses in quartering, justices may order constables to give an account of the number of officers, and private men, and where quartered. Clause for relief of persons hastily listing themselves. As often as it shall be necessary, officers of the marine and land forces may sit in conjunction upon courts-martial; taking rank according to the seniority of their commissions. Marine forces being borne as part of the complement of any ships of war, are liable to be governed by the rules established by act 22 Geo. 2.

C A P. XIII.

An act to explain and amend so much of an act made in the tenth year of the reign of King William the third, intituled, An act for granting an aid to his Majesty for disbanding the army, and other necessary occasions, as relates to the number of troops to be kept upon the Irish establishment.

Preamble, reciting clause in act 10 Will. 3.

WHEREAS by an act of parliament made in the tenth year of the reign of his late Majesty King William the third, intituled, An act for granting an aid to his Majesty for disbanding the army, and other necessary occasions; it was enacted, That immediately, from and after the twenty sixth day of March, one thousand six hundred and ninety nine, all the regiments, troops, and companies, officers and soldiers, within the kingdom of Ireland, should be disbanded, except such regiments, troops, and companies consisting only of his Majesty's natural born subjects, not exceeding twelve thousand persons, commission and non-commission officers included, as, before the tenth day of April, one thousand six hundred and ninety nine, should be

be particularly expressed by proclamation under the great seal of Ireland, in the manner therein directed: And whereas the publick service of these kingdoms doth require, that some part of the troops kept on the establishment of Ireland, should be employed towards the necessary defence of his Majesty's garrisons and plantations abroad: And whereas it may be expedient that a number of troops, not less than twelve thousand men, commissioned and non-commissioned officers included, should be kept within the said kingdom of Ireland, and for the better defence of the same, exclusive of such regiments on that establishment as are or shall be employed in his Majesty's said garrison and plantations; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for his Majesty, his heirs and successors, to raise and keep up, on the said establishment of Ireland, any number of troops, consisting only of his Majesty's natural-born subjects, not exceeding fifteen thousand two hundred and thirty five men in the whole, in time of peace; any thing in the said act to the contrary notwithstanding.

His Majesty impowered to raise and keep up, on the Irish establishment, any number of troops not exceeding 15,235 men, in time of peace.

C A P. XIV.

An act for providing proper accommodations for his Majesty's justices of the great sessions in Wales, during the time of holding such sessions.

WHEREAS certain accommodations are provided for his Majesty's justices of assize upon their circuits in England, by the sheriffs of the respective counties, who are allowed the expences thereby occasioned in their bills of cravings in each year: And whereas it is proper that the like accommodations should be provided for his Majesty's justices of the great sessions in the principality of Wales, during their respective sessions, by the sheriffs there; and that such sheriffs should be reimbursed the expences of providing such accommodations out of the land revenues of the crown arising within the said principality, in manner herein after-mentioned; but some doubts having arisen whether, since the act made in the first year of the year of the reign of his present Majesty, intituled, An act for the support of his Majesty's household, and of the honour and dignity of the crown of Great Britain, any part of the said revenues can be applied for the said purpose without the authority of parliament: May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the sheriffs of the several counties in Wales, shall, from henceforth, in each of their respective counties provide necessary lodging and other accommodations for his Majesty's justices of the great sessions, during the time of each respective session, in like manner as has been usually provided by the sheriffs within the several counties in England for the justices of assize there; and that his Majesty may, by any warrant or

Act: Geo. 3.

Sheriffs in Wales to provide lodging and other accommodations for his Majesty's justices of the Great sessions, during the

time of each respective session; for which they are to be allowed in their accounts.

His Majesty impowered to authorize the auditor of the crown revenues in Wales to allow and pass the charges thereof; and direct that certificates be granted accordingly.

The charges allowed not to exceed 10 l. in respect of such accommodations in any one county, for any one session.

warrants under his royal sign manual, countersigned by the high treasurer, or any three or more of the commissioners of the treasury for the time being, authorize, during the continuance of the said act made in the first year of his Majesty's reign, the auditor for the time being of the land revenues of the crown arising within the principality of *Wales*, to allow and pass all or any of such charges as shall, from time to time, be made by the respective sheriffs of the counties within the said principality, in the accounts by them to be delivered into the office of the said auditor, of expences incurred by them respectively in providing necessary accommodations for his Majesty's justices of the great sessions of *Wales*, during their sessions; and to direct that certificates shall be delivered by the said auditor to the said sheriffs of the sums so allowed and passed in their accounts respectively; and also to authorize, during the aforesaid term, the receiver or receivers general of the said revenues to pay the sums so, from time to time, certified, upon the production and delivery to him or them of such respective certificates, without any fee, deduction, or reward whatsoever, to be paid by the sheriff either to such auditor or receiver.

II. Provided nevertheless, and it is hereby enacted, That no greater or larger sum shall be allowed, passed, certified, and paid, than the sum of ten pounds for or in respect of such accommodations in any one county, during or upon account of any one such session.

CAP. XV.

An act for the more speedy and effectual transportation of offenders.

Preamble.

WHEREAS several offenders, convicted of crimes for which they are by law excluded the benefit of clergy, are reprieved by the judge who tries them, and recommended by him to his Majesty's mercy; who generally, on such recommendation, is graciously pleased to extend the same to them, on condition of transportation to some of his Majesty's colonies and plantations in America for life, or for the term of fourteen years; and such intention of mercy is signified by one of his Majesty's principal secretaries of state to the judges at the next assizes after such conviction, who thereupon order such offenders to be transported accordingly: And whereas, by this method of ordering the transportation, such offenders lie several months in gaol after conviction; whereby they are rendered less capable of being useful to the public in the parts of America to which they are sent: for remedy thereof, may it please your Majesty that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That where any offender shall hereafter be convicted of any crimes for which he or she is by law to be excluded the benefit of clergy, and the judge, or justice of oyer and terminer or gaol delivery, in any county, city, or place, before whom any such offender shall be convicted or condemn-

Where his Majesty's mercy shall be extended to any offender, upon condition of transportation.

ed, shall grant a reprieve for the staying of execution of such offender, and recommend him or her to his Majesty as a proper object of his Majesty's mercy: if his Majesty, his heirs, or successors, shall be graciously pleased to extend royal mercy to any such offender upon condition of transportation to any part of *America*, and such intention of mercy shall be signified by one of his Majesty's principal secretaries of state to the judge so recommending; it shall and may be lawful for every such judge, or justice of oyer and terminer or gaol-delivery, to make an order for the immediate transportation of every such offender, in the same manner as if such intention of mercy had been signified to him by one of his Majesty's principal secretaries of state, during the continuance of the assizes at which such offender was condemned; and such order shall be considered as an order made at such assizes or place, and shall be as effectual, to every intent and purpose, and shall have all the same consequences in every respect, as any order for the transportation of any offender made by any justice of oyer and terminer or gaol delivery for such county, city, or place; and such offender shall be transferred, conveyed, and made over, to any person who will contract for the performance of such transportation, and to his and their assigns, for the term of fourteen years; in case such condition of transportation be general; or else for such other term or terms as shall be made part of such condition, if any particular time be specified by his Majesty, his heirs and successors, as aforesaid: and such person or persons so contracting as aforesaid, his or their assigns, by virtue of such order of transfer as aforesaid, shall have a property and interest in the service of the said offender, for such terms as aforesaid; and such transportation shall have the effect of a pardon under the great seal for such offender, as to the crime of which he or she was so convicted: but if such offender, so ordered for transportation, shall be afterwards at large within any part of this kingdom of *Great Britain*, without some lawful cause, before the expiration of the term for which such offender shall have been ordered to be transported; every such person, being thereof lawfully convicted, shall suffer death as in cases of felony without benefit of clergy; and shall be tried before such judges, and in such manner, and the same evidence made use of for his or her conviction, as are directed, by the laws now in being, for the trial of other felons found at large within this kingdom before the expiration of the term for which they were ordered to be transported: and whoever shall discover, apprehend, and prosecute to conviction of felony without benefit of clergy, any such offender so found at large within this kingdom, shall be intitled to the like reward of twenty pounds, and certificate, and in the same manner, as any person may be intitled to for discovering, apprehending, and prosecuting to conviction, any person ordered to be transported, and found at large within this kingdom before the expiration of the term for which such person was ordered to be transported.

on, and the same be signified to the judge by one of the principal secretaries of state, such judge may make order for the immediate transportation of such offender;

who shall thereupon be transferred and made over to the contractor, &c.

who shall have a property in the service of such offender for the term for which he or she is to be transported.

Offender afterwards seen at large in *Great Britain*, without lawful cause, before the expiration of the said term, is to suffer death;

and the person apprehending and prosecuting such person to conviction, is intitled to 20*l.* reward, and a certificate.

C A P. XVI.

An act for making and widening a passage or street from The Salt Market street, in the city of Glasgow, to Saint Andrew's Church, in the said city; and for enlarging and compleating the church-yard of the said church; and for making and building a convenient exchange or square in the said city; and also for explaining and amending an act passed in the thirty-second year of his late Majesty, for improving the navigation of the river Clyde, to the city of Glasgow; and for building a bridge cross the said river, from the said city to the village of Gorbells.

C A P. XVII.

An act to amend an act made in the seventh year of King George the First, intituled, An act for regulating the journeymen taylors within the weekly bills of mortality.

Preamble, re-
citing act
7 Geo. 1.

WHEREAS by an act made in the seventh year of the reign of his late majesty King George the First, intituled, An act for regulating the journeymen taylors within the weekly bills of mortality; power is given to the justices of the peace, at their general quarter sessions, within the limits in the said act mentioned, from time to time, upon application being made to them for that purpose, to take into consideration the plenty or scarcity of the times, and other circumstances, and thereupon to alter and regulate the wages and other allowances, directed by the said act to be paid and made to, and the hours for work of journeymen taylors and servants retained or employed in the art or mystery of a taylor, within their respective jurisdictions; and also to punish all persons not complying with the terms of the said act, or of such rules and regulations, in manner in the said act mentioned: And whereas, by virtue of the power aforesaid, the justices of the peace, at their general quarter sessions, within the city of London and county of Middlesex respectively, have, from time to time, made orders, rules, and regulations, with respect to the hours of working, and the wages and allowances to be paid and made to journeymen taylors, and others, as aforesaid; but doubts and difficulties having arisen, touching the prosecution of persons offending against the said act, or against the said rules, orders, and regulations, and many subtil devices having been practised in order to evade the said rules, orders, and regulations, the due execution of the said act hath been greatly obstructed: And whereas it is necessary that the said act should in some other respects be explained and amended: May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of March, one thousand seven hundred and sixty eight, the hours of work in the day for servants or journeymen, to be employed in the business of a taylor within the city of London, and five miles thereof, shall be from six of the clock in the morning until seven of the clock in the evening, with an interval of one hour only for refreshment; and that there shall be paid to every such servant or journeyman to be

Hours and
price for
working limit-
ed within a
certain district.

be employed as aforesaid for his work, during the hours aforesaid, the wages or allowances following; that is to say, any sum not exceeding two shillings and seven pence half-penny *per diem*, except during the space of one calendar month from the publication of any order for a general mourning by the earl marshal, in the *London Gazette*, and during that space, any sum not exceeding five shillings and one penny halfpenny.

II. And it is hereby further enacted, That if any master taylor, or other person professing, using, or exercising, the art or mystery of a taylor, within the city of *London*, or within five miles thereof, shall, after the said twenty fifth day of *March*, give, allow, or pay, or cause, permit, or suffer to be given, allowed, or paid, directly or indirectly, in money, or otherwise, to any servant or journeyman in the business of a taylor, any more or greater wages or allowances than the wages or allowances aforesaid, or such other wages and allowances as shall hereafter from time to time be ordered and appointed by virtue and in pursuance of this act; or if any servant, journeyman, or other person, using and following the said business of a taylor, within the limits aforesaid, that is to say, within the city of *London*, or within five miles thereof, shall have, receive, accept of, or take, in any manner, directly or indirectly, by himself, or by any other person to his use, any more or greater wages or allowances than as aforesaid, in money or otherwise; every person so offending, in any or either of the said cases, and being thereof convicted before any two justices of the peace for the county, city, liberty, town, borough, or franchise, wherein the offence shall have been committed, either by confession of the party, or upon the oath or oaths of one or more credible witness or witnesses (which oaths the said justices are hereby impowered and required to administer) upon any information made, or prosecution commenced before any such two justices within their respective jurisdictions, at any time within three months after the committing of such offence, shall be committed to the house of correction for the county or place where the offence shall be committed, by warrant under the hands and seals of such justices, there to be kept to hard labour, or to the common gaol, for any time not exceeding two months, nor less than fourteen days, at the discretion of the said justices.

III. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any two justices of the peace within the limits aforesaid, and they are hereby required, on information upon oath made before them, by any person or persons whatsoever, that there is reason to suspect that any person or persons using, exercising, or following, the business of a master taylor, or journeyman taylor, within the limits aforesaid, hath given, paid, allowed, or received, greater wages or allowances than as aforesaid, at the request of such informant, to issue their summons in writing, signed by any such two justices, requiring any clerk, foreman, apprentice, servant, or other person or persons employed or retained by such person so suspected to have offended, or any other person or persons whatsoever, whose attendance

tendance such informant shall think necessary, for the purpose of giving evidence in the premisses to attend such justices, or some other two justices acting for such county or place, at a time, and place in such summons to be specified, to testify concerning the premisses; and if any such person so summoned, shall not attend, and proof shall be made of the service of such summons, either personally, or by leaving the same at the last or usual place of abode of such person, it shall be lawful for such two justices, or any other two justices of the peace acting for such county or place, and they are hereby required (unless a reasonable excuse be made for such non-attendance, to the satisfaction of such justices) to issue their warrant under their hands and seals, for the apprehending and bringing him or her before them, or some other two or more justices of the peace acting for such county or place, to be examined touching the premisses in the said information contained; and if any such person so attending, or being brought before such justices, shall refuse to be examined, or give their testimony touching the premisses in such information contained, such person shall by the said justices be committed to the house of correction, there to remain until he or she shall submit to be examined and to give testimony as aforesaid.

IV. *And whereas, under the provisions of the said act made in the seventh year of the reign of King George the First, it may happen that one and the same rate of wages and allowances to journeymen tailors, may not be appointed and established within the city of London and Westminster, and weekly bills of mortality, which would be highly inconvenient and prejudicial to the public; now to prevent such inconvenience, and to the end that one just and reasonable rate of such wages and allowances may be established within the city of London, and five miles therefrom, in future, subject nevertheless to such alterations as the exigencies of the times may require; be it enacted by the authority aforesaid, That it shall and may be lawful to and for the mayor, aldermen, and recorder of the city of London for the time being, at their general quarter sessions, or general sessions of the peace assembled, and they are hereby authorized and required, from time to time, upon application being made to them for that purpose, to alter, regulate, order, and appoint, the wages and allowances to be paid or made to journeymen tailors and servants retained or employed, or to be retained or employed, in the art or mystery of a tailor, in the making up mens and womens work within the city of London, or within five miles thereof, and the hours of work: and shall and may, within the space of fourteen days next after the making every such order, cause the same to be printed, published, and made known, in such manner as to them shall seem meet, at the reasonable expence of the person or persons applying for the same; and from and after publication thereof, all tailors, and their journeymen and servants, within the limits aforesaid, are hereby strictly required to observe the same, the provisions of the said act of the seventh of King George the First to the contrary thereof notwithstanding.*

Quarter sessions in London to make regulations for the future.

V. Provided always, That advertising such orders of sessions three times in any two daily news papers published in *London* or *Westminster*, shall for the purposes of this act be deemed and allowed to be sufficient notice and publication thereof. Sufficient notice.

VI. Provided also, and be it further enacted by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to fix, controul, or regulate, the wages or allowances or hours of work, of servants in the said business of a taylor, *bona fide*, retained and employed as foremen; or to hinder the paying or receiving further or other wages or allowances (not exceeding six pence by the hour in times of general mourning, and three pence by the hour at any other time or times) which shall be agreed upon for working before or after the hours of work limited or appointed, or to be limited or appointed as aforesaid, so as such over-work be not at any one time less than one hour, and be actually and *bona fide* done and performed by such journeyman or servant; and so as such retainer or employment, and such agreement or payment, be not made in fraud of, or to elude, the regulations herein before provided with respect to wages, allowances, and hours of working, settled and ascertained, or to be settled and ascertained as aforesaid. Provisions of this act not to extend to Taylors foremen, or working over hours.

VII. And be it further enacted by the authority aforesaid, That from and after the said twenty fifth day of *March*, one thousand seven hundred and sixty eight, if any master taylor, or other person professing, using, or exercising, the art or mystery of a taylor, residing or inhabiting within the limits aforesaid, shall directly or indirectly in any manner whatsoever retain or employ any servant, journeyman, or other person, using or following the business of a taylor, in or about the making up mens or womens work out of, or beyond, the limits aforesaid, with intent or design to elude or evade this act, and shall give, allow, or pay, or cause to be given, allowed, or paid, directly or indirectly, to such servant or journeyman, any more or greater wages or allowances than the wages or allowances settled and ascertained, or to be settled and ascertained as aforesaid; every such person shall, for every such offence, forfeit the sum of five hundred pounds, to be sued for by action of debt, to be brought in any of his Majesty's courts of record at *Westminster*; wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed; and wherein the ordinary costs of the suit shall be paid; one moiety of which said forfeiture, when recovered, shall belong and be paid to the King's majesty, and his successors, and the other moiety to the person who shall sue for the same. Penalty on masters employing men out of the limits, to evade the act.

VIII. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful for any person convicted before any two justices of the peace as before mentioned, to appeal to the justices of the peace assembled at the next general quarter sessions, or general sessions, to be held for the county, city, or place, wherein such conviction shall be made, giving immediate notice of such appeal, and finding Persons aggrieved may appeal to the quarter sessions.

sufficient security to the satisfaction of such justices for being personally present at such general quarter sessions, or general sessions, and for prosecuting the said appeal with effect, and abiding the judgment of the court; and such justices in such general quarter sessions, or general sessions, shall finally hear and determine the matter, and shall have power to award reasonable costs to either party, as to them shall seem just; and if such conviction shall be affirmed at such general quarter sessions, or general sessions, such appellant shall be committed to prison for the time specified in the said conviction, and until payment of the costs so to be awarded.

Limitation of actions.

IX. Provided also, and be it further enacted by the authority aforesaid, That no action shall be brought against any justice of the peace, constable, headborough, or other officer, or against any other person or persons whomsoever, for any matter or thing whatsoever done or committed under, by virtue, or in the execution of this act, unless such action shall be brought within six calendar months next after the doing or committing of such matter or thing.

General issue.

X. Provided also, That if any action or suit shall hereafter be commenced or prosecuted against any person or persons for any thing done under, by virtue, or in the execution of this act, such person or persons may plead the general issue, and give this act, and the special matter, in evidence; and if the plaintiff shall become nonsuited, or suffer discontinuance, or forbear further prosecution, or if judgment shall be given for the defendant or defendants, such defendant or defendants shall recover his, her, or their full costs, for which he, she, or they, shall have like remedy as in cases where costs by law are given to defendants.

Full costs.

Publick act.

XI. And be it further enacted by the authority aforesaid, That this act shall be taken and allowed to be a public act in all courts within this kingdom of *Great Britain*, and all judges and justices of the peace are hereby required to take notice thereof as such, without specially pleading the same.

C A P. XVIII.

An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and sixty eight.

Most gracious Sovereign.

Preamble.

WE, your Majesty's most dutiful and loyal subjects, the commons of *Great Britain*, in parliament assembled, towards raising the necessary supplies which we have cheerfully granted to your Majesty, in this session of parliament, have resolved to give and grant unto your Majesty the sum herein after-mentioned; and do therefore most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament

parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the commissioners of his Majesty's treasury now or for the time being, or any three or more of them, or the high treasurer for the time being, at any time or times before the fifth day of *January*, one thousand seven hundred and sixty nine, to cause or direct any loans to be taken or received at his Majesty's exchequer, from any person or persons, natives or foreigners, body or bodies politic or corporate, or any number of exchequer bills to be made out there, for any sum or sums of money, not exceeding in loans and exchequer bills together, in the whole, the sum of one million eight hundred thousand pounds; in the same or like manner, form, and order, and according to the same or like rules and directions, as in and by an act of this present session of parliament, intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty eight*, are enacted and prescribed, concerning the loans or exchequer bills to be taken or made in pursuance of the said act.

Treasury im-
powered to
raise any sum,
not exceeding
1,800,000 l.
by loans or
exchequer
bills;

in the same
manner as by
the malt act
of this session
is prescribed,
with respect to
loans or ex-
chequer bills
thereby au-
thorized to be
taken or made.

II. And be it further enacted by the authority aforesaid, That all and every the clauses, provisos, powers, privileges, advantages, penalties, forfeitures, and disabilities, contained in the said last-mentioned act, relating to the loans or exchequer bills authorized to be made by the same act (except such clauses as do charge the same on the taxes granted by the same act, and except such clauses as limit the rate of interest to be paid for the forbearance of money lent on the credit of the said act, and also except as is herein after mentioned) shall be applied and extended to the loans and exchequer bills to be made in pursuance of this act, as fully and effectually, to all intents and purposes, as if the same loans or exchequer bills had been originally authorized by the said last mentioned act, or as if the said several clauses or provisos had been particularly repeated and re-enacted in the body of this act.

The clauses
in the said act
relating to
loans or bills,

extended to
this act.

III. Provided always, and be it further enacted by the authority aforesaid, That no exchequer bill or bills to be made out by virtue of this act, shall, after the same hath or have been issued at the exchequer, be afterwards, at any time before the sixth day of *April*, one thousand seven hundred and sixty nine, received or taken, or pass or be current, to any receiver or collector in *Great Britain* of the customs, excise, or any revenue, supply, aid, or tax whatsoever, due or payable to his Majesty, his heirs, or successors, or at the receipt of the exchequer, from any such receiver or collector, or from any other person or persons, bodies politic or corporate, otherwise or on any other account than for the discharge and cancelling of such bills, in case the same shall be in due course or order of payment, before the said sixth day of *April*; nor shall any such receiver or collector exchange, at any time before the said sixth day of *April*, for any money, of such revenues, aids, taxes, or supplies, in his hands, any exchequer bill or bills which shall have been issued

Exchequer
bills so issued,
not to be re-
ceived again
in payment of
any taxes,

nor exchange-
ed, before 6
April, 1769.

Action not to
lie for such
refusal.

issued as aforesaid by virtue of this act; nor shall any action be maintained against any such receiver or collector for neglecting or refusing to exchange any such bill or bills for ready money, before the said sixth day of *April*; any thing in the said act made in this present session of parliament, intituled, *An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty eight*, or this act contained to the contrary notwithstanding.

The money so
raised, to be
repaid out of
the next par-
liamentary
aids;
if none be
granted be-
fore 5 July,
1769,
then to be
charged on
the sinking
fund,

and paid
thereout.

IV. And be it further enacted by the authority aforesaid, That all such loans or exchequer bills, together with the interest, premium, rate, and charges, incident to or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first aids or supplies which shall be granted in the next session of parliament; and in case sufficient aids or supplies, for that purpose, shall not be granted before the fifth day of *July*, one thousand seven hundred and sixty nine, then all the said loans or exchequer bills, with the interest, premium, rate, and charges, incident to or attending the same, shall be, and are hereby charged and chargeable upon such monies as, at any time or times at or after the said fifth day of *July*, shall be or remain in the receipt of the exchequer, of the surplusses, excesses, overplus monies, and other revenues, composing the fund commonly called *The Sinking Fund* (except such monies of the said sinking fund as are appropriated to any particular use or uses by any act or acts of parliament in that behalf); and such monies of the said sinking fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling, and discharging, such loans or exchequer bills, interest, premium, rate, or charges, until the whole of them shall be paid off, cancelled, and discharged, or money sufficient for that purpose be kept and reserved in the exchequer, to be payable on demand to the respective proprietors thereof.

Monies so is-
sued, to be re-
placed out of
the first sup-
plies.

V. Provided always, and be it enacted by the authority aforesaid, That whatever monies shall be so issued out of the said surplusses, excesses, overplus monies, or other revenues, composing the sinking fund, shall, from time to time, be replaced by and out of the first supplies to be then after granted in parliament; any thing herein contained to the contrary notwithstanding.

Bank of Eng-
land authoriz-
ed to advance
the said sum
on the credit
of this act;

notwithstand-
ing act 5 &
6 W. & M.

VI. And be it declared and further enacted by the authority aforesaid, That it shall and may be lawful for the governor and company of the bank of *England*, to advance or lend to his Majesty, in like manner, at the receipt of the exchequer, upon the credit of loan granted by this act, any sum or sums of money, not exceeding in the whole the sum of one million eight hundred thousand pounds; any thing in an act made in the fifth and sixth years of the reign of King *William* and Queen *Mary*, intituled, *An act for granting to their Majesties* several

several rates and duties upon tennage of ships and vessels, and upon beer, ale, and other liquors, for securing certain recompences and advantages in the said act mentioned, to such persons as shall voluntarily advance the sum of one million five hundred thousand pounds, towards carrying on the war against France, to the contrary thereof in any wise notwithstanding.

C A P. XIX.

An act for further continuing an act of the sixth year of his present Majesty's reign, intituled, An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

WHEREAS an act passed in the sixth year of his present Majesty's reign, intituled, An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, *An act for punishing mutiny and desertion, and for the better payment of the army and their quarters; which act was to continue and be in force, in all his Majesty's dominions in America, from the twenty fourth day of March, in the year of our Lord one thousand seven hundred and sixty six, until the twenty fourth day of March, one thousand seven hundred and sixty eight; and which act was further continued by an act passed in the last session of parliament, until the twenty fourth day of March, one thousand seven hundred and sixty nine: and whereas it has been found necessary that the said act should be continued for a further term,* may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall be, and the same is hereby further continued until the twenty fourth day of March, one thousand seven hundred and seventy.

continued to
24 March,
1770.

C A P. XX.

An act for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England for one year, beginning the twenty fifth day of March, one thousand seven hundred and sixty eight.

Preamble. Where the militia is or shall be raised, the receiver general of the county is to issue 4 months pay in advance, according to the establishment of pay here set down; with half a year's salary to the regimental and battalion clerks; and the allowances to the clerks of the general and subdivision meetings; and pay for cloathing of the militia. The above sums are not to be paid, if pay has not before been issued, till the ld. lieut. or deputies shall have certified to the treasury and receivers general the inrolment of three fifths of the men and officers. The money is to be paid by the receiver-general to the clerk of the regiment or battalion (except the allowances to the clerks of the meetings) upon producing the warrant of his appointment; and for independent companies, to the respective captains, or to their order; according to the establishment laid down in the militia act of 2 Geo. 3. A second payment is also to be made within three months after

after the first; and a third within three months after the second. Receipts of the persons to whom the money shall be so paid, discharge the receivers general. The regimental and battalion clerks are to pay in advance one month's pay to the adjutant; and 2 months pay to each captain, for the serjeants, drummers, and contingent expences of the said company; captain to pay for each man 1d. per month out of the contingent money, towards charges of the hospital; and for the serjeant-major and drum-major; to be paid to the commanding officer of the company to which they belong: captains to distribute the pay accordingly; and account for the same yearly to the clerk, or receiver general if an independent company, according to the following form; and pay back the surplus monies in his hands, except the contingent expences, which is to be accounted for, and applied to the general use of the regiment, &c. Captains of independent companies to distribute the pay to their men, and apply the money allowed for contingent expences. Clerk to retain money in his hands for his own salary. When the ld. lieuts. or deputies shall have fixed the days of exercise, they are to certify the same to the receiver general, specifying the number of men, and days they shall be absent from home. Receiver general to issue thereupon pay for officers and men to the regimental clerk, &c. Where there shall be independent companies only, the receiver general is to issue pay to the captains, according to the rate here set down. Clerk to pay over the money to the respective captains. Captains to make up their Account according to the following form; to be signed by them, and countersigned by the commanding officer, and delivered, with the balance, to the clerk, or receiver general. Accounts allowed sufficient vouchers. During the time the troops are embodied, and called out into actual service, and receive pay as the King's other forces, all pay and allowances from the receivers general is to cease. Receivers general to pay the allowances to clerks of the general meetings, and to the clerks of the subdivision meetings, upon producing orders from the lieutenant or dep. lieutenants. Orders to discharge receivers general. Regimental and battalion clerks to give security for paying and accounting for the monies received by them; the bonds to be lodged with the receivers general, and put in suit by them on non-performance of the condition; and they are intitled thereupon to full costs and charges, and 5l. per cent. of the money recovered; the residue to be accounted for to the auditor. The regimental and battalion clerks, and captains of independent companies, are to deliver in accounts of their receipts and disbursements, and pay over the balance to the receivers general; who are to transmit the accounts into the auditor's office. Recovery of penalties, &c. No fee payable for any warrant or sum of money issued in pursuance of this act. Officers on half-pay serving in the militia, may receive the subsistence-money payable to lieutenants or ensigns, they taking the following oath before a justice. The oath. Receiver general upon receiving a warrant from the commanding officer, certifying the receipt of the cloathing, and an order for payment, is to pay the same accordingly. If any regiment, &c. shall cease, 3s. per diem is to be paid to the adjutant from such time to 25 March, 1769.

CAP. XXI.

An act for the better paving, cleansing, and enlightening, the city of London, and the liberties thereof, and for preventing obstructions and annoyances within the same, and for other purposes therein mentioned; and for repealing an act made in the sixth year of his present Majesty's reign for those purposes.

Recites act
6 Geo. 3.

WHEREAS by an act passed in the sixth year of his present Majesty's reign, certain commissioners are appointed for the better paving, cleansing, and enlightening, the city of London, and

*the liberties thereof, and for preventing obstructions and annoyances within the same, and for other purposes therein mentioned; and certain powers are thereby granted to the said commissioners to enable them to carry the said act into execution: and whereas the said act hath been found to be defective in many respects, and further powers have been found wanting, without which the good purposes aforesaid cannot be effectuated: may it therefore please your Majesty, that it may be enacted, and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, the sole power and authority of pitching, paving, cleansing, and enlightening, the streets, lanes, squares, yards, courts, alleys, passages, and places, within the said city of London, and liberties thereof, shall be and the same is hereby vested in the mayor and commonalty, and citizens, of the said city, to be executed by such persons as by the said mayor, aldermen, and commons, of the said city, in common council assembled (by virtue and in pursuance of an act of parliament made in the twenty second and twenty third years of the reign of King Charles the Second, intituled, *An act for the better paving and cleansing the streets and sewers in and about the city of London*) now are, or hereafter from time to time shall be, authorized and appointed by them, to be commissioners of the sewers for the said city and liberties, or by any seven or more of them; which said persons, so from time to time authorized and appointed to be commissioners of the sewers for the said city and liberties, shall be, and they are hereby constituted commissioners for carrying this act into execution.*

For vesting the power of paving in the mayor, commonalty, and citizens, of London.

II. Provided always, and it is hereby further enacted, That the authority of the said commissioners for the time being shall in no wise be suspended or taken away, save by the appointment from time to time of new commissioners of the sewers for the said city and liberties. Proviso.

III. Provided also, That the recorder and common serjeant of the said city of London, for the time being, shall be, and they are hereby constituted and appointed two of the commissioners for carrying this act into execution. Recorder and common serjeant of London, shall be commissioners.

IV. Provided also, and it is hereby further enacted and declared, That all the powers and authorities by this act granted to, or vested in, the said commissioners hereby constituted as aforesaid, shall and may, from time to time, be exercised by the major part of such of them as shall attend at any publick meeting of the said commissioners, to be holden as herein after mentioned, the number of the said commissioners present at such publick meeting, not being less than seven (except for the purpose of adjourning); and all acts, orders, and proceedings, of the major part of the said commissioners present at such publick meeting, shall have the same force and effect as if done or made by all the commissioners constituted by this act. The powers to be exercised by the major part of the commissioners present at any publick meeting.

V. And

First publick
meeting.

V. And it is hereby further declared and enacted, That the first publick meeting of the said commissioners, to be had by virtue of and under this act, shall be at such time and place as the mayor of the said city shall think proper to order and appoint: and the said mayor is hereby directed to order and appoint such first publick meeting to be held on or before the first day of *April* next, and to cause the said commissioners to be summoned to attend the same.

Power to ad-
journ.

VI. And it is hereby further enacted and declared, That it shall and may be lawful to and for the major part of the said commissioners present at such first publick meeting, or at any subsequent publick meeting of the said commissioners (the number so attending not being less than three) to adjourn such publick meeting to any future day and time, and to any place within the said city and liberties.

Provide.

VII. Provided always, That every commissioner shall have notice to attend at such adjourned publick meeting, by the usual summons from the clerk to the said commissioners.

Mayor to ap-
point a pub-
lick meeting.

VIII. Provided also, and it is hereby further enacted and declared, That it shall and may be lawful to and for the mayor of the said city for the time being, from time to time, to appoint a publick meeting of the said commissioners, at any time and place he shall judge proper for the execution of this act, notwithstanding any adjournment or non-adjournment of the said commissioners, and shall cause the said commissioners to be summoned to attend the same.

Commission-
ers to appoint
clerks.

IX. And it is hereby further enacted, That the said commissioners shall and may, from time to time, at any of their said publick meetings, elect and appoint one or more clerk or clerks, and one or more surveyor or surveyors, and also such and so many other officers as they shall find necessary for the due execution of this act (fourteen days notice of their intention to proceed to such election or appointment having been first printed and published in two or more of the daily news papers, and notice thereof being also expressed in the summons for such publick meeting) and the said commissioners shall take such security as they shall think proper for the due execution of such respective offices; and shall and may, from time to time, remove any of the said officers at their will and pleasure, and appoint others in the room of such as shall die, or be removed as aforesaid: and the said commissioners shall and may, out of the monies arising or to arise by virtue of this act, appoint and pay such salaries, gratuities, and allowances, as they shall judge reasonable, to such officers, and to all such other persons, as shall have been, or shall be employed in, or aiding and assisting about, the execution of this act.

To prevent
clerks, &c.
taking any
fees.

X. And it is hereby further enacted, That if any clerk, surveyor, or other officer or servant, who shall be employed by the said commissioners in the execution of this act, or any part thereof, shall exact, demand, take, or accept, any fee, gratuity, or reward whatsoever (other than such salaries, allowances, and

rewards,

rewards, as shall be appointed, allowed, and approved of, by the said commissioners) for or on account of any thing done, or to be done, by virtue of this act; or for forbearing to do any thing hereby, or by the said commissioners, directed to be done, or on any account whatsoever, relative to the execution or non-execution of this act; or shall any way be concerned in interest in any bargain made, or to be made, by the said commissioners, for any of the purposes intended by this act; every person so offending, shall, from thenceforth, for ever be incapable of being employed under this act, and shall, over and above, forfeit and pay the sum of fifty pounds to any person or persons who shall sue for the same; to be recovered in any of his Majesty's courts of record at *Westminster*, or within the said city, by action of debt, bill, plaint, or information, to be commenced within six calendar months next after the offence committed; in which action or suit no protection, essoin, or wager of law, or more than one imparlance, shall be allowed.

XI. And it is hereby further enacted, That all the acts, orders, and proceedings, of the said commissioners, at their said publick meetings, from time to time, shall be entered in a book or books to be kept for that purpose by the said commissioners, and shall be signed by their clerk for the time being, and such entries shall be deemed and taken to be the original orders and proceedings of the said commissioners; and such book or books shall and may be produced and read in evidence in all courts whatsoever.

XII. And it is hereby further enacted, That the said commissioners may, and they are hereby authorized and impowered, from time to time, to employ under them any fit person or persons, whether free of the said city or not, in or about the paving, repairing, keeping in repair, and cleansing, all or any of the said streets, lanes, squares, yards, courts, alleys, passages and places, within the said city and liberties, and in and about the enlightening of the same, and in and about the several works hereby directed to be performed; and to contract for the performance of the said works, or any of them, with any person or persons whatsoever, in such manner as the said commissioners shall think fit: and that no person or persons who shall be so employed or contracted with, nor any person or persons to be set to work by or under them, or any of them, shall, for any act done or to be done in or about any of the works aforesaid, be subject or liable to any action, indictment, or information, upon the statute made in the fifth year of Queen Elizabeth, intituled, *An act containing divers orders for artificers, labourers, servants of husbandry, and apprentices; or be liable to be sued for any breach of the custom of London, or for any penalties inflicted by any by-law of the said city.*

XIII. Provided always, That previous to the making of any such contract, notice shall be given in some of the daily news papers, that the said commissioners do intend to make such contract, and that all persons willing to engage therein may

For entering proceedings.

Allowing persons not free of the city to be employed.

For giving notice of contracts.

may make proposals to the said commissioners at a certain time and place in every such notice to be specified; and all contracts made, or to be made, in consequence of such notice, shall specify the several works to be done, and the price or prices to be paid for the same, and the time or times when the said works are to be completed, together with the penalties to be incurred in case of the non-performance thereof; and the same shall be signed by the clerk for the time being of the said commissioners, as also by the person or persons contracting to perform such works respectively, and shall be entered in a book or books to be kept for that purpose by the said commissioners.

No member of the common council to be concerned in any contract.

XIV. Provided also, and it is hereby further enacted, That no person, being a member of the court of common council of the said city, shall be directly or indirectly interested or concerned in any contract which shall be made or entered into by or on behalf of the said commissioners, for or concerning any of the said works to be carried on or performed in pursuance of this act, or for or concerning any materials to be used or employed therein, upon pain that every such contract shall be null and void; and that the person who, being a member of the said court, and shall be so interested or concerned therein, shall, for every such offence, forfeit and pay the sum of one hundred pounds to any person or persons who shall sue for the same; to be recovered in any of his Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, to be commenced within six calendar months next after the offence committed; in which action or suit respectively, no protection, essoin, or wager of law, or more than one imparlance, shall be allowed; and every person against whom the said penalty shall be recovered, shall, for ever thereafter, be disabled from being elected a member of the said court of common council.

For paving streets.

XV. And it is hereby further enacted, That the said commissioners may cause all or any of the said streets, lanes, squares, yards, courts, alleys, passages, and places, to be new paved or repaired, when and as often, and in such manner, and with such materials, as the said commissioners shall think fit; and for such purposes may, from time to time, cause to be dug, carted, and carried out of, or brought into, the same, or any of them, such gravel, stones, and other materials, as they shall judge necessary; and may likewise cause the ground thereof to be raised or lowered, the course of the channels running in or through the same to be turned or altered, and the water pipes which now lie, or hereafter shall be laid, under ground, to be taken up and new laid in such places, manner, and form, as they the said commissioners shall judge best; and may cause such posts as they shall think useless or inconvenient to be taken up and removed, and likewise all steps, bulks, shew-glasses, and shew-boards, encroaching upon the foot-ways, as also all steps and doors opening or leading from the foot-ways into vaults or cellars, to be removed or altered.

XVI. And

XVI. And it is hereby further enacted, That the said commissioners shall and may cause all signs, or other emblems, used to denote the trade, occupation, or calling, of any person or persons, sign-posts, sign-irons, pent-houses, shew-boards, spouts, and gutters, projecting into any the said streets, lanes, squares, yards, courts, alleys, passages, or places, and all other encroachments, projections, and annoyances whatsoever, within the said city or liberties, to be taken down and removed; and shall cause all signs, or other emblems, as aforesaid, shew-boards, and gutters, or such parts thereof as they shall think fit, to be affixed or placed on the fronts of the houses, shops, warehouses, or buildings, whereunto they respectively belong, or were before affixed, and not otherwise; and shall return or cause to be returned, to the respective owners, so much of such signs, or other emblems, sign-posts, or other posts, sign-irons, shew-boards, spouts, and gutters, as shall not be affixed or put up, or otherwise made use of, in the alterations directed by this act; and that, for the future, all signs, sign-boards, and gutters, shall be placed or fixed on the fronts of the houses, shops, warehouses, or buildings, to which they respectively belong, and not otherwise: and if any person or persons shall, at any time hereafter, hang, place, erect, or build, any sign, sign-post, or other post, sign-iron, pent-house, shew-board, spout, gutter, or other projection, obstruction, or annoyance, or cause the same to be done, contrary to the direction aforesaid; every person so offending shall, for every such offence, forfeit and pay the sum of five pounds, and the further sum of twenty shillings for every day such offence shall continue.

For taking away signs, posts, &c.

XVII. Provided always, and it is hereby further enacted, That it shall and may be lawful to and for any person or persons to keep any crane or cranes already fixed up against any warehouse or warehouses, within the said city and liberties thereof, or to affix any crane or cranes to such warehouse or warehouses, and to make use of such crane or cranes, so as such crane or cranes be turned and kept close to the walls of such warehouse or warehouses when not in actual use; any thing in this act, or any former law, custom, or statute, to the contrary thereof in any wise notwithstanding.

Directing that cranes shall be kept close to the walls of warehouses.

XVIII. And, for the more speedy removal of sundry nuisances and obstructions in the said city and liberties, it is hereby further enacted, That if, after the twenty fifth day of March next, any common stage waggon or other waggon, or any cart, dray, or other carriage, shall, for the purpose of loading or unloading the same, or any part thereof, be suffered to stand or continue in any of the said streets, lanes, squares, yards, courts, alleys, passages, or places, above the space of one hour at any one time; or if any cart, waggon, dray, or other carriage, shall be placed and suffered to stand athwart or across any such street, lane, square, yard, court, alley, passage, or place, for the loading or unloading thereof, or for any other purpose whatsoever; or if any such cart, waggon, dray, or other carriage, shall be suffered to stand

Directing that no waggon shall stand in the street above one hour.

or continue in any part of such streets, lanes, squares, yards, courts, alleys, passages, or places, longer than is necessary for the loading or unloading thereof; or if any goods, materials, or things whatsoever, shall be laid or placed, and left in any such street, lane, square, yard, court, alley, passage, or place, so as to obstruct the free passage thereof; then, and in every such case, any one of the said commissioners, or any one of their officers to be by them appointed to remove nuisances, shall and may seize, or cause to be seized, the stage waggon, cart, waggon, dray, or other carriage, so placed, or suffered to stand or continue, contrary to the true meaning of this act, together with the horse or horses thereunto belonging, or the goods, materials, or things, so laid or placed, and left as aforesaid, and remove the same, or cause the same to be removed, to the common pound of the said city, commonly called *The Green Yard*, there to be kept and detained until the owner or owners thereof, or his, her, or their known servant or servants, shall and do claim the same, and pay to the person or persons in whose custody the same shall then be, the sum of twenty shillings, together with the charges of removing and keeping the same; and in case the same shall not be claimed, and the said sum of twenty shillings and charges paid, within the space of three days next after such seizure, it shall and may be lawful to and for the said commissioners to cause the same to be appraised and sold, and the monies arising therefrom shall be applied to the purposes of this act.

For preventing buildings or enclosures in the streets.

XIX. And it is hereby further enacted, That if any person or persons whatsoever shall erect or build, or cause to be erected or built, any posts, bars, rails, boards, or other things, by way of enclosure, for the purpose of making mortar, or depositing bricks, lime, or other materials, for building or repairing any houses, buildings, or other works, within the said city or liberties, in any other manner, or shall suffer the same to remain for any longer time, than shall be necessary for such building or repairs; or shall lay any rubbish within such enclosure, or on the outside thereof, or near thereto; and complaint thereof shall be made to the said commissioners by any two householders of the said city or liberties, and the said commissioners shall, upon view, or other due proof of the matter of the said complaint, find the same to be true; then, and in every such case, the person or persons erecting and building such enclosure, and suffering the same to remain longer than shall be necessary as aforesaid, shall, for every such offence forfeit the sum of twenty shillings; and moreover, it shall and may be lawful to and for the said commissioners to cause such enclosure or erection to be pulled down and removed, and the materials thereof, as also all bricks, mortar, lime, or other valuable things contained within the same, or thereto belonging, to be deposited in the *Green Yard* aforesaid there to be kept and detained until the owner or owners thereof, or his, her, or their known servant or servants, shall and do pay, to the person or persons in whose custody the same shall

shall be, the charges of pulling down and removing the same; and in case the same shall not be claimed, and the said charges paid, within the space of eight days next after such seizure thereof, it shall and may be lawful to and for the said commissioners to order the same to be appraised and sold, and the money arising therefrom shall be applied to the purposes of this act: and the said commissioners are further authorized to remove such rubbish to such place as they shall think convenient; and every person laying such rubbish, or causing or procuring the same to be laid, within or on the outside, or near to such enclosure, shall forfeit a sum not exceeding treble the value of the costs of removing the same.

XX. And it is hereby further enacted, That no person or persons whatsoever shall slake lime in the foot-way or carriage-way of any of the said streets, lanes, squares, yards, courts, alleys, passages, or places, or in any house or houses within the same; upon pain that every person so offending shall, for every such offence, forfeit and pay the sum of forty shillings.

XXI. Provided always, That nothing herein contained shall be construed to restrain any bricklayer or plaisterer from slaking lime within the yards or cellars of houses which shall be new building or repairing, or within the yards or cellars belonging to the dwelling-house of any such bricklayer or plaisterer, so that the steam of such lime be conveyed into and through the chimney of such house respectively; and that no lime be slaked in any cellar or yard, after the hour of seven of the clock in the morning from *Lady-day* to *Michaelmas*, nor after the hour of eight of the clock in the morning from *Michaelmas* to *Lady-day*; and if any lime shall be slaked contrary to the directions of this act, every person so offending shall, for each offence, forfeit the sum of forty shillings.

XXII. And be it further enacted, That if any person or persons shall for the future carry, run, drive, draw, or cause to be carried, run, driven, or drawn, on any of the foot-pavements within the said city or liberties, any bier, or any wheel or wheels, sledge, wheel-barrow, or other carriage whatsoever; or shall wilfully ride, lead, or drive, any horse, ass, mule, or other cattle, coach or other carriage whatsoever, upon any part of the said foot-pavements; then, and in any of the said cases, and so often as they or any of them shall happen, it shall and may be lawful to and for any person or persons whatsoever, who shall see any such offence committed, to seize, and also for any other person or persons to assist in seizing, such offender or offenders, and by the authority of this act, and without any other warrant, to convey or deliver him, her, or them, into the custody of a peace officer, in order to be secured and conveyed, before some justice of the peace of the said city; and the party or parties accused being brought before him, such justice shall proceed to examine, upon oath, any witness or witnesses who shall appear or be produced to give information touching such offence (which the said justice is hereby authorized and required to administer;)

and if the party or parties accused shall be convicted of any such offence, either by his, her, or their own confession, or upon such information as aforesaid, he, she, or they, so convicted, shall forfeit and pay the sum of ten shillings for the first time of offending; the sum of twenty shillings for the second time of offending; and the sum of forty shillings for the third and every other time of offending.

For fixing up
the name of
the street, &c.

XXIII. And it is hereby further enacted, That the said commissioners shall and may cause to be painted, engraved, or described, in stone, or otherwise, and to be affixed in a conspicuous part of one or more house or houses, building or buildings, at or near each end, corner, or entrance, of each of the said streets, lanes, squares, yards, courts, alleys, passages, or places, the name by which each respective street, lane, square, yard, court, alley, passage, or place, is properly or usually called or known; and may also cause every house, shop, or warehouse, in each of the said streets, lanes, squares, yards, courts, alleys, passages, and places, to be marked or numbered in such manner as they shall judge most proper for distinguishing the same; and if any person or persons shall wilfully or maliciously destroy, pull down, obliterate, or deface, any such names, descriptions, marks, or numbers, or any part thereof, or cause or procure the same to be done, every person so offending shall, for every such offence, forfeit and pay the sum of forty shillings.

For preventing
alterations
in the form of
the streets.

XXIV. And it is hereby further enacted, That no person or persons shall, without authority from the said commissioners, alter or cause to be altered, the form of the pavement of the said streets, lanes, squares, yards, courts, alleys, passages, and places, which shall be new paved or repaired by the said commissioners, or in any way incroach thereupon, upon pain that every person so offending shall, for every such offence, forfeit and pay the sum of five pounds over and above the expence of relaying and reinstating the same according to the directions of the said commissioners; the said forfeitures and expences to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, in the name of the said mayor and commonalty and citizens of the said city of London, to be commenced within six calendar months next after the commission of such offence; in which action or suit, no protection, essoin, or wager of law, or more than one imparlance, shall be allowed.

Commissioners
to fix the
places where
hackney
coaches are
to stand or
ply.

XXV. *And whereas many hackney coaches have fixed their stands, and do ply at improper places, within the said city and liberties thereof, whereby great obstructions and annoyances are occasioned, and moreover, persons wanting to hire such coaches, are frequently obliged to fetch the same from inconvenient distances: And whereas it would be of great benefit to the said city, as well as of convenience to persons having occasion to hire such coaches, if the said commissioners were vested with the power of fixing the stands thereof at more proper places, be it therefore enacted, That from and after the passing of this act it shall and may be lawful to and for the said commissioners,*

sioners, from time to time, by writing under their hands and seals, or the hands and seals of three or more of them, to be publicly affixed in some conspicuous part of the *Guildhall* of the said city, to direct and order at what place or places respectively, within the said city, and the liberties thereof, any hackney coach or coaches shall stand and be plied, and how many coaches shall be plied at each stand; and if the driver of any such coach or coaches shall suffer the same to stand, and shall ply at any other place or places than according to the order and directions of the said commissioners, to be notified as aforesaid; or if any driver shall suffer any such coach or coaches to be and continue at or upon any stands, after the number allowed by the said commissioners to stand and be plied at the same stands respectively shall be complete; then the owner or driver of every such coach or coaches shall, for every such offence, forfeit and pay the sum of ten shillings.

XXVI. And it is hereby further enacted, That after the expiration of twelve calendar months next after the passing of this act, if any two housekeepers within the said city and liberties shall make complaint in writing, under their hands, to the said commissioners, of any defect, or want of repair, in any of the pavements of any of the said streets, lanes, squares, yards, courts, alleys, passages, or places, either before or after the same shall have been new paved or repaired by virtue of this act; then, and in every such case, the said commissioners shall forthwith cause the pavement so complained of to be inspected by their surveyor; and if the same shall by him be found defective, and so reported to be to the said commissioners, unless such defect shall appear to arise from a defect in the water-pipes lying under such pavement, they the said commissioners shall forthwith give orders to their contractor or contractors, pavior or paviers, to repair the same: and if the contractor or pavior of the said commissioners, to whom such order shall be given, shall not, within four days next after the receipt thereof, repair the said defective pavement; then, and in every such case, the said contractor or pavior shall forfeit and pay the sum of twenty shillings for every day that the said defective pavements shall remain unrepaired after the expiration of the said four days.

XXVII. And it is hereby further enacted, That when and so often as any pipe or pipes, belonging to any of the water companies who furnish any part of the said city and liberties with water, and which now lie, or shall hereafter be laid, under ground, in any of the said streets, lanes, squares, yards, courts, alleys, passages, or places, shall happen to break, burst, or decay, so as to require reparation; the surveyor of the said commissioners for the time being, or such other person or persons as the said commissioners shall appoint for that purpose, shall forthwith give, or cause to be given, notice thereof in writing, to the pavior of the water company to whom he apprehends the said pipe or pipes to belong; who is hereby required to take up the said pavement, and open the ground at or near the place where

For repairing
bad pavements.

For taking up
pavement
when the water
pipes are
broken.

such reparation shall appear to be wanting: and if the said pavior shall, upon taking up such pavement, and opening such ground, discover that the pipe or pipes so broken, burst, or decayed, does not, or do not, belong to the said water company whose pavior he is; then and in every such case, he shall forthwith give, or cause to be given, notice thereof, in writing, to the pavior of the company to whom the said pipe or pipes shall appear to belong; in which case such last-mentioned pavior is hereby required, upon demand, to make satisfaction for the taking up such pavement, and opening such ground, to the pavior giving notice as aforesaid; and the pavior of such water company, to whom the said pipe or pipes shall belong, is hereby required to cause or procure the said pipe or pipes to be repaired, and afterwards to fill up the said ground, and ram down the same, within two days next after such notice to him given; and as soon as such pipe shall have been so repaired, and the ground so filled up and rammed down, he shall give, or cause to be given, notice thereof, in writing, to the pavior or contractor for the time being of the said commissioners: and if the pavior of any of the said water companies, to or for whom such notice shall be given, or left at his place of abode, shall, by the space of two days next after the giving or leaving such notice as aforesaid, refuse or neglect to take up such pavement, and open such ground; or if upon discovering that the pipe or pipes so broken, burst, or decayed, doth not, or do not, belong to the company whose pavior he is, he shall refuse or neglect to give immediate notice thereof in writing to the pavior of the company to whom the said pipe or pipes doth or do belong; or if the pavior of the water company to whom such pipe or pipes shall belong, shall, by the space of two days next after such notice given to him, or left at his last place of abode, refuse or neglect to cause or procure such pipe or pipes to be amended and repaired, or afterwards to fill up the ground so taken up, or to give such immediate notice of his having so done, to the pavior or contractor of the said commissioners for the time being; then, and in every such case, the person or persons so respectively refusing or neglecting shall, for every such offence, severally forfeit and pay the sum of five pounds: and if any pipe or pipes not belonging to any of the water companies, shall happen to break, burst, or decay, as aforesaid, in any of the said streets, lanes, squares, yards, courts, alleys, passages, or places; then, and in every such case, the respective owner or owners thereof shall forthwith cause the ground over the same to be opened, and such pipe or pipes to be repaired, and notice thereof in writing to be given to the clerk for the time being of the said commissioners, or in case of refusal or neglect so to do, shall, for every such offence, forfeit and pay the sum of five pounds: and if any pavement shall be broken or taken up for the purpose of making, repairing, or altering any vault or drain, or for any other purpose whatsoever; then, and in every such case, the person or persons so breaking or taking up the said pavement, or causing the same to be so broken or

or

or taken up, shall as soon as the nature of the work will permit, cause the ground to be filled up, and notice thereof in writing to be given to the clerk for the time being of the said commissioners; or, in case of refusal or neglect so to do, shall, for every such offence, forfeit and pay the sum of forty shillings; and the said clerk of the said commissioners; shall forthwith, upon every such notice as aforesaid given to him, or left at his last place of abode, transmit such notice, or cause the same to be transmitted, to the pavior or contractor of the said commissioners for the time being; and if the said clerk shall refuse or neglect, by the space of two days next after any such notice as aforesaid given to him, or left at his last place of abode, to transmit such notice, or cause such notice to be transmitted, to the said pavior or contractor for the time being of the said commissioners; or if such pavior or contractor, to whom any such notice as aforesaid shall be so transmitted, shall, by the space of two days next after the transmitting of such notice to him as aforesaid, refuse or neglect to relay and repair the pavement so broken up; then, and in every such case, the person so refusing or neglecting shall forfeit and pay the sum of twenty shillings for every day such pavement shall continue unrelayed or unrepaired after the expiration of the said two days.

XXVIII. Provided always, That if it shall happen that at any time there shall be no regular or fixed appointment of a pavior of any of the water companies, in that case such notice as aforesaid shall be delivered to, or left at, the office of the clerk or secretary of such company respectively, who shall, in every such case, be substituted in the room of such pavior, to all the intents and purposes aforesaid.

Where there is no fixed pavior, notice is to be left at the company's office.

XXIX. And it is hereby further enacted, That the several and respective paviers now employed, or hereafter to be employed, by the said water companies respectively, within the said city or liberties thereof, shall, within the space of thirty days next after the passing of this act, or within three days next after they shall be respectively appointed paviers to such company or companies, give notice in writing to the clerk for the time being of the said commissioners, of their respective names and places of abode, and of the name of the respective company whose paviers they are, and of the respective district to which they are appointed; and in like manner the clerk for the time being of the said commissioners shall, within the respective times aforesaid, give notice to the respective paviers of the said several water companies of the names and places of abode of the pavior or paviers, contractor or contractors, for the time being, of the said commissioners; and if any of the said paviers, or the clerk of the said commissioners for the time being, shall neglect to give such notice within the respective times aforesaid, each of them shall, for every such offence, severally forfeit and pay the sum of twenty shillings.

Directing the paviers of the water companies to give notice of their names, &c.

XXX. Provided always, and it is hereby further enacted and declared,

Water companies to pay the expence of new laying pavement, when the pipes are broken, &c.

declared, That the charges and expences of relaying the pavement which shall be broken, or taken up for the purposes of repairing or amending any such pipe or pipes, shall be reimbursed and paid to the said commissioners, or to such person as they shall appoint to receive the same, by the clerk or treasurer for the time being of the respective water companies to whom such pipe or pipes shall belong; or if the same shall not belong to any of the said water companies, then by the respective owner or owners thereof; and the charges and expences of relaying the pavement which shall be broken or taken up for the purposes of new making, repairing, altering, cleansing or emptying, any sewer, drain, or vault, or of making any new or additional grates, or of repairing and altering any old grates, shall be defrayed and paid by and out of some rate or rates to be made or assessed by virtue or in pursuance of the said act of the twenty second and twenty third years of the reign of King *Charles* the Second; or by the person or persons who shall take up the said pavement, or any part thereof, or cause the same to be taken up for any of the purposes aforesaid: and if such clerk or treasurer to any of the said water companies, or the respective owner or owners of such pipe or pipes, liable to reimburse and pay such charges and expences, shall refuse or neglect to pay the same within ten days next after demand thereof, in writing, signed by the clerk of the said commissioners, and left at their respective dwelling-houses or last places of abode, together with a bill to be annexed to such demand, containing an account of such charges and expences; then, and in every such case, the money so expended shall and may be recovered by the said commissioners of and from the person or persons so liable thereto, by action or actions of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, in the name of the mayor and commonalty, and citizens, of the said city of *London*, to be commenced within three calendar months next after such demand respectively; in which action or suit no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

Expence of alteration of the pipes to be defrayed out of the monies of the act.

XXXI. Provided nevertheless, and it is hereby further enacted, That if at any time it shall be found necessary for the purposes of new paving, or altering the pavement, of any of the said streets, lanes, squares, yards, courts, alleys, passages, or places, to raise, sink, or any otherwise alter the position of, any of the pipes or plugs laid down or placed by any of the said water companies, or by any other person or persons whatsoever, the charges attending the same shall be paid out of the monies arising, or to arise, by virtue of this act.

For procuring water in times of fire.

Names of the turncocks to

XXXII. *And for the more easily obtaining of water in cases of fire*, it is hereby further enacted, That the several water companies, who shall supply any of the inhabitants of the said city with water, shall, from time to time, within the space of fourteen days after the passing of this act, or within seven days after the

the appointment of any turncock or turncocks, give notice, in be delivered writing, to the said commissioners, of the names and places of ^{the} abode of their respective turncocks, distinguishing the districts to which they respectively belong; and if any of the said companies shall neglect to give such notice within the times aforesaid, they shall, for every such neglect, forfeit the sum of forty shillings; and the said commissioners shall, and they are hereby required yearly to cause to be printed and distributed through every ward within the said city and liberties, to and amongst the several householders within the same, a list of the names and places of abode of the several turncocks of the district or districts within which every such ward respectively shall lie.

Penalty for every neglect therein.

XXXIII. And it is hereby further enacted, That the said commissioners shall have full power and authority to cause the said streets to be watered as often as they shall think fit; and also to cause any well or wells to be dug and sunk in such places as they shall think proper; and also any pump or pumps to be erected in or near such places; and also any pumps now standing for the purpose of watering the said streets, or for any other purpose, to be removed or altered, and to defray the expences thereof out of the monies to be raised by virtue of, and for the purposes of, this act.

For watering the streets.

XXXIV. And, for the more effectually cleansing and keeping clean the said streets, lanes, squares, yards, courts, alleys, passages, and places, it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners to cause any number of moveable or fixed dust-boxes, dust-holes, or conveniencies, wherein dust and ashes, or other filth, may be deposited for the scavengers or rakers, to be erected and placed in such parts of the said streets, lanes, squares, yards, courts, alleys, passages, and places, as they shall judge necessary; and all and every the occupier and occupiers of houses or tenements within the said city and liberties are hereby required daily, and every day, to cause all their dust, ashes, and other filth, to be deposited in the said dust-boxes, dust-holes, or other conveniencies, or else to keep the same in their respective houses or tenements, with the appurtenances, until the same shall be removed and carried away by the respective rakers, to be in this behalf appointed: and in case any such occupier of any house or tenement within the said city or liberties shall deposit, or cause or permit to be deposited, any ashes, dust, or other filth, in any part of the said streets, lanes, squares, yards, courts, alleys, passages, and places, except in some of the dust-holes, dust-boxes, or other conveniencies, so to be erected or made as aforesaid; then the person so offending shall, for every such offence, forfeit and pay the sum of ten shillings.

For making dust-holes, &c.

XXXV. And it is hereby further enacted, That every occupier of any house or tenement within the said city and liberties, and (in respect of houses lett to inmates) every house owner, shall once in every day, between the hours of eight and ten of the clock in the forenoon of each day, scrape, sweep, and cleanse, the

For cleansing foot-ways.

the footway all along the front of their respective houses or tenements, or cause the same to be scraped, swept, and cleansed; and in default thereof shall, for every such offence, forfeit and pay the sum of five shillings.

For enlight-
ening streets.

XXXVI. *And for the better enlightening the said streets, lanes, squares, yards, courts, alleys, passages, and places,* it is hereby further enacted, That it shall and may be lawful to and for the said commissioners, from time to time, to cause such and so many lamps to be set up in such places within the said city and liberties thereof, and to be placed in such manner, and at such distances, as they shall judge necessary; and the said commissioners shall order and direct at what time the lights within the same shall be lighted, and how long they shall continue lighted; and shall, from time to time, give such other orders and directions in the premises, as they shall think needful for the well and sufficient enlightening the said city and liberties thereof.

For prevent-
ing the da-
maging, &c.
of lamps.

XXXVII. And it is hereby further enacted, That if any person or persons shall wilfully take away, break, or throw down, or damage, any lamp that now is or hereafter shall be set up for enlightening any of the said streets, lanes, squares, yards, courts, alleys, passages, and places, or wilfully extinguish the light or lights within the same, or damage the irons or other furniture thereof; it shall and may be lawful to and for any person or persons whatsoever, who shall see such offence committed, to seize, as also for any other person or persons to assist in seizing, the offender or offenders; and by authority of this act, and without any other warrant, to convey him, her, or them, or to deliver him, her, or them, into the custody of a peace officer, in order to be secured and conveyed before some justice of the peace of the said city; and such justice shall proceed to examine, upon oath, any witness or witnesses who shall appear or be produced to give information touching such offence (which oath the said justice is hereby authorized and required to administer) and if the party or parties accused shall be convicted of such offence, either by his, her, or their, own confession, or upon such information as aforesaid, he, she, or they, so convicted, shall forfeit and pay the sum of twenty shillings for each lamp so broken, thrown down, or damaged, or for every light so extinguished as aforesaid; and moreover, shall make full satisfaction to the said commissioners, or to such person as they shall appoint to receive the same, for the damage so by him, her, or them, done as aforesaid: and in case such offender or offenders shall not, on conviction, pay such forfeiture, and make such satisfaction, as aforesaid, such justice is hereby required to commit him, her, or them, to the *Bridewell* of the said city, there to be kept to hard labour for any space of time not exceeding one calendar month; and such offender or offenders shall not be discharged before the expiration of the time for which he, she, or they, shall be so committed, unless such forfeiture and satisfaction shall be sooner paid and given.

XXXVIII. And it is hereby further enacted, That in case
any

any person or persons shall carelessly or accidentally break, For persons throw down, or damage, any of the said lamps so set up, or carelessly or hereafter to be set up as aforesaid, or the irons or other furni- accidentally breaking or ture thereof, and shall not immediately, upon demand, make damaging lamps, &c. satisfaction for the damage done thereto; then, and in every such case, it shall and may be lawful to and for any one justice of the peace of the said city, upon complaint to him made by one or more credible person or persons, to summon before him the party or parties who shall be complained of for doing such damage as aforesaid; and, upon hearing the allegations and proofs on both sides, or upon the non-appearance of the party or parties so complained of and summoned, to award such sum or sums of money, by way of satisfaction for such damage, as such justice shall think reasonable; and in case of neglect or refusal of the said party or parties to pay such sum or sums of money so awarded, within three days next after demand thereof, to cause the same to be levied by distress and sale of his, her, or their goods or chattles; the surplus (if any) arising by such distress and sale to be paid to him, her, or them.

XXXIX. And it is hereby further enacted by the authority For vesting
aforesaid, That the property of the pavements, which at the the property
time of passing this act, or at any time or times thereafter, shall of the pave-
be within the said city or liberties, and all materials and things ments, &c.
used, or to be used, in or about the making or repairing there- in the mayor,
of, shall be, and the same are hereby vested in the said mayor &c.
and commonalty and citizens of the said city; and the said commissioners are hereby authorized and impowered to bring, or cause to be brought, any action or actions, in the name of the said mayor and commonalty and citizens, or to prefer, or order the preferring of indictments, against any person or persons who shall steal, take, or carry away, any or any part of such materials or things: and if any person or persons shall wilfully or maliciously destroy, or otherwise damage or spoil, any of the said materials or things, or any of the works done in pursuance of this act, or any part or parts thereof; every person or persons so offending therein, and being thereof convicted, by the oath or oaths of one or more credible witnesses or witnesses, before any justice of the peace, shall, for every such offence respectively, forfeit and pay the sum of twenty shillings for the first time of offending; and the sum of forty shillings for the second and every other time of offending.

XL. And be it further enacted by the authority aforesaid, Directing the
That all lamps which shall be put out by any person or per- placing of
sons, at his or their own private expence, shall, from and after lamps.
the commencement of this act, be placed in such manner as the said commissioners appointed to put this act into execution shall direct.

XLI. And whereas it will be very convenient to the inhabitants of For consoli-
the said city and liberties, that the rates and assessments necessary for dating rates.
paving, cleansing, and enlightening, the said streets, lanes, squares,
yards, courts, alleys, passages, and places, and for preventing annoy-
ances

ances therein, should be consolidated and made one joint and general fund, to be collected together; be it enacted by the authority aforesaid, That from and after the passing of this act, one or more rate or rates, assessment or assessments, shall, at such time or times as the said commissioners shall think fit to order and direct, by writing under their hands and seals, or the hands and seals of seven or more of them, be made, laid, and assessed, in the several wards of the said city, by the aldermen or their deputies respectively, and the major part of the common council men of each ward, upon all and every person and persons who do or shall inhabit, hold, occupy, possess, or enjoy, any land, house, shop, warehouse, cellar, vault, or other tenement, within the said several wards, and who, by the laws now in being, are liable to be, and from time to time shall be, actually rated towards the relief of the poor in the respective parishes where he, she, or they, shall respectively live or reside, for raising such competent sum and sums of money as the said commissioners shall from time to time judge needful and direct, so as such rates or assessments do not, in any one year, exceed in the whole the sum of one shilling and six pence in the pound of the yearly rents of such of the said lands, houses, shops, warehouses, cellars, vaults, or other tenements or hereditaments respectively, as shall be situate in any street, lane, square, yard, court, alley, passage, or place, actually begun to be new paved by virtue and in pursuance of this act, and one shilling in the pound of the yearly rents of such of the lands, houses, shops, warehouses, cellars, vaults, tenements, or hereditaments respectively, as shall not be so situate; such rates respectively to be from time to time ascertained by the rates at which such respective lands, houses, shops, warehouses, cellars, vaults, or other tenements or hereditaments, shall be from time to time assessed towards the land tax.

Directing in what manner empty houses shall be assessed.

XLII. And it is hereby further enacted, That if it shall happen that any of the lands, houses, shops, warehouses, cellars, vaults, or other tenements, within the said city and liberties, shall, at the time of making any of the said rates or assessments, be empty, untenanted, or unoccupied; then, and in every such case, it shall and may be lawful to and for the alderman of the ward where such premises shall lie, or his deputy, with the major part of the common council men of the said ward, to rate and assess the said premises, at such times as the said commissioners shall direct, as aforesaid; and in such case, as well as in case the said premises shall, after the making such rate or rates, assessment or assessments, become empty, untenanted, or unoccupied, one half of such rate or assessment shall be charged on such premises respectively, and be paid by the first tenant or occupier thereof, who shall and may, and is hereby authorized to deduct and detain the same out of his or her rent; and the landlord, or owner or owners of such premises, is and are hereby required to allow such deduction and pay-

payment, upon the receipt of the residue of his, her, or their, respective rents; and the said tenant or occupier shall be, and is hereby acquitted and discharged of and for so much of his or her rent, as the rate or assessment so paid by him or her shall amount unto.

XLIII. *And whereas many houses in several of the wards of the said city are, by the several landlords or owners thereof, lett out in lodgings or tenements to divers tenants, whereby it will be difficult to rate or assess the said tenants in respect of such houses, or to recover such rates and assessments when made; for remedy whereof, be it enacted, That from and after the passing of this act, it shall and may be lawful to and for the alderman of each respective ward, or his deputy, with the major part of the common council men of the said ward, at such times as the said commissioners shall direct as aforesaid, to rate and assess in every such rate and assessment as aforesaid, the owner or owners of all such houses or tenements, as shall be so lett to, or occupied by, two or more tenants (which rate or assessment shall be paid by the occupier or occupiers of any part or parts of such houses or tenements) and such occupier or occupiers of such houses or tenements is and are hereby authorized and required to pay such sum and sums of money, as shall be so rated or assessed upon the owner or owners thereof, being duly demanded of such occupier or occupiers, and to deduct the same out of his, her, or their, respective rents; and the landlord, or owner or owners of such houses or tenements, is and are hereby required to allow such deductions and payments, upon the receipt of the residue of his, her, or their rents; and every such occupier, paying such assessment or assessments, shall be acquitted and discharged for so much of his or her rent as the said assessment or assessments so paid by him or her shall amount unto, as if the same had been actually paid to the person or persons to whom his or her rent shall be due and payable; and in default of payment of the said rate or rates, assessment or assessments, the same shall be and remain a charge upon the said premises, and shall and may be recovered of and from the landlord or landlords, owner or owners thereof respectively, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, or within the said city, to be commenced and prosecuted by any collector or collectors to be appointed as herein after directed; in which action or suit, no protection, essoin, or wager of law, or more than one imparlance, shall be allowed.*

For assessing houses lett out in lodgings.

XLIV. *And whereas several manufactures, trades, occupations, and callings, necessarily take up, and require great room, by reason whereof the persons concerned therein are obliged to pay large rents, and it may be a great and intolerable hardship upon such persons to be rated to the full extent of their respective rents towards the purposes of this act; and whereas it may be reasonable to excuse some persons from the payment of the aforesaid rates and assessments, in the whole, or in part, on account of their poverty; for relief therefore in such cases, it is hereby further enacted and declared, That in any of the cases aforesaid, any person or persons may apply to*

For relief of owners of large warehouses, &c.

to the said commissioners, by petition, in writing, setting forth the circumstances of his, her, or their case, giving notice to the alderman of the ward wherein such rate or assessment shall have been made, or his deputy, and such petition shall be taken into consideration by the said commissioners at their next publick meeting, of which the alderman of the ward, or his deputy, shall have special notice; and if it shall then appear to the said commissioners, upon hearing the said petitioner or petitioners, that the said petitioner or petitioners is or are intitled to relief; it shall and may be lawful to and for the said commissioners, and they are hereby authorized and empowered, to award the said petitioner or petitioners such relief as they the said commissioners shall think just and reasonable.

Appeal to
court of
mayor and
aldermen.

XLV. Provided always, That if the alderman, or his deputy, or the major part of the common council men of such ward, shall think such award unjust or unreasonable, or if the party or parties concerned shall think him, or herself, or themselves aggrieved, by such award; it shall and may be lawful to and for any of them to appeal, from such award, to the court of mayor and aldermen of the said city, who shall finally determine whether the said petitioner or petitioners is or are intitled to any, and what relief in the premises.

For assessing
wharfs,
warehouses,
vaults or
cellars.

XLVI. Provided always, and it is hereby further enacted, That no person or persons shall, in respect of any wharf, or of any warehouse, vault, or cellar, upon any wharf, not fronting any street or lane, be rated or assessed, or be liable to pay more than two thirds of the rates or assessments herein before directed to be rated and assessed on lands, houses, shops, warehouses, cellars, vaults, and other tenements, within the several wards of the said city of London; any thing herein before contained to the contrary thereof in any wise notwithstanding.

For examin-
ing books re-
lating to the
poors rates.

XLVII. And, in order to ascertain the rates and assessments to be made by virtue of this act, be it further enacted by the authority aforesaid, That the several aldermen of the said city, or their respective deputies, shall and may, and they are hereby authorized and empowered, to cause any of the books of assessment of the land tax, within their respective wards; and also any of the books of assessment of the rates towards the relief of the poor, within the respective parishes of the same wards, to be brought before them, and to take copies of such books, or any part thereof, as they shall think fit, without fee or reward; and if any person or persons, in whose custody or power any of the said books shall be, shall refuse or neglect to attend the said aldermen, or their deputies, with such book or books, or to permit them to take copies thereof, as aforesaid; then, and in every such case, every person who shall so refuse or neglect shall, for every such offence, forfeit and pay the sum of forty shillings.

XLVIII. And, for as much as it is reasonable that all publick buildings (hospitals excepted) and all dead walls, and void spaces of ground, should be rated and assessed in a due proportion, towards the paving,

paving, cleansing, and enlightening, the said city, and the liberties thereof, it is hereby further enacted, That it shall and may be lawful to and for the alderman of each ward, within the said city and liberties, or his deputy, with the major part of the common council men, and they are hereby required at such times as the rates and assessments hereby directed to be made by order of the said commissioners as aforesaid, shall from time to time be made, to rate and assess towards the purposes of this act all parish churches, church-yards, chapels, and other publick buildings whatsoever, not charged to the land tax; as also all meeting-houses, and all void spaces of ground, situate, lying, and being, within their ward, other than and except the cathedral church of Saint Paul in London, and the church-yards and ground within the iron rails encompassing the said cathedral church, at such rate as the commissioners, by writing under their hands and seals, or the hands and seals of any seven or more of them, shall order and direct for every square yard of such churches, church-yards, chapels, and publick buildings, meeting-houses, and void spaces of ground, not exceeding the rate of four pence *per* square yard; and also to rate and assess all dead walls within their wards, towards the purposes aforesaid, at such rate as the said commissioners shall order and direct in manner aforesaid, for every yard running measure of such dead walls, not exceeding the rate of six pence *per* yard; such rate or rates, assessment or assessments, so to be, from time to time, made upon any parish church, church-yard, or chapel, to be paid by their respective church or chapel wardens; and the rate or rates, assessment or assessments, so to be made, from time to time, upon any meeting-house within the said city or liberties, to be paid by the minister and deacons, or other person usually officiating therein: and if such church or chapel warden, minister, deacon, or other person, shall refuse or neglect to pay the same upon demand; then, and in every such case, such rate or rates, assessment or assessments, shall and may be recovered of and from the person or persons so required to pay the same by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or within the said city, to be commenced and prosecuted in the name or names of the mayor and commonalty and citizens; in which action or suit no *essoins*, protection, or wager of law, or more than one imparlance shall be allowed; and in default of payment of such rate or rates, assessment or assessments, to be made on any meeting-house as aforesaid, the same shall be and remain a charge upon such meeting-house, and be paid by the landlord or owner thereof respectively; and such rate or rates, assessment or assessments, so to be, from time to time, made upon any publick building (not being an hospital) or upon any dead wall or void space of ground, shall be paid by the respective owner or owners, proprietor or proprietors thereof; and in case the owner or owners, proprietor or proprietors, of any such void space of ground, shall not be known, or cannot be found,

For assessing churches and other publick buildings, meeting-houses and void spaces of ground.

found, then the said rate or rates, assessment or assessments, to be thereon made, shall be advanced by the chamberlain of the city of *London* for the time being out of the cash of the said city in his hands, and the said ground shall be and remain a security to the said chamberlain and his successors for repayment of all rates so to be by him advanced.

Directing that inns of court shall be rated for the purposes of this act.

XLIX. And be it further enacted, That it shall and may be lawful to and for the alderman of *Farringdon* ward without, or his deputy, with the major part of the common council men of the said ward, and they are hereby required, from time to time, to rate and assess, in every such rate and assessment as aforesaid, the several inns of court and chancery herein after named, in the several and respective sums herein after mentioned, as a composition for the repairs of the pavements which they have respectively sustained; that is to say, the *Inner Temple*, in the sum of two pounds two shillings *per annum*; the *Middle Temple*, in the sum of six pounds six shillings *per annum*; *Serjeants Inn* in *Chancery Lane*, in the sum of ten pounds *per annum*: and also to rate and assess the several inns of chancery herein after named, in the several and respective sums herein after mentioned; that is to say, *Staples Inn*, in the sum of fourteen pounds *per annum*; *Furnival's Inn*, in the sum of twenty pounds *per annum*; *Barnard's Inn*, in the sum of six pounds *per annum*; *Clifford's Inn*, in the sum of two pounds two shillings *per annum*: which rates or assessments shall be paid by the treasurer, principal, or other proper officer of the said inns of court and inns of chancery respectively; and in default of payment, may be sued for and recovered, in like manner as the rates and assessments upon parish churches, church-yards, and chapels, are herein before directed to be sued for and recovered.

For assessing the pavements belonging to the cathedral church of St. Paul.

L. And whereas the pavement lying between the fence of the church-yard belonging to the cathedral church of Saint Paul, in the said city of London, and the channels of the several streets and ways adjoining to, and surrounding, the said church, contains two thousand two hundred and forty square yards; and the charges and expences of repairing, cleansing, and enlightening the same, is now paid out of the interest and yearly produce of the surplus money of certain duties on coal granted by divers acts of parliament, and vested in the lord archbishop of Canterbury, lord bishop of London, and lord mayor of the city of London, for the time being; be it hereby further enacted, That it shall and may be lawful to and for the said commissioners, or any seven or more of them, and they are hereby required, when and at such times as the rates and assessments hereby directed to be made shall, from time to time, be made, to rate and assess the said cathedral church, toward the purposes of this act, at such rate as the said commissioners, or any seven or more of them, shall judge reasonable, not exceeding the rate of one shilling and three pence by the year, for every square yard of the said pavement now kept in repair, out of the interest of such trust-monies as aforesaid; and that such rates or assessments so to be, from time to time, made on the said cathedral

dral church as aforesaid, shall be paid by the lord archbishop of *Canterbury*, lord bishop of *London*, and lord mayor of the said city of *London*, for the time being, or their treasurer, or other proper officer, out of the interest and produce of the said surplus-monies so vested in them, upon the trusts, and for the purposes aforesaid.

LI. Provided always, and it is hereby further enacted, That nothing in this act contained shall be deemed or taken to make void any contract, covenant, or agreement, between landlord and tenant touching or concerning the paving, cleansing, or enlightening, any part of the said streets, lanes, squares, yards, courts, alleys, passages, and places, within the said city and liberties, but that every such landlord who is now, by virtue of any such contract or agreement, obliged to pave, keep in repair, cleanse, or enlighten, any part thereof, shall, in lieu thereof, pay or allow unto his, her, or their respective tenant or tenants, the rate or rates to be rated or assessed on such tenant or tenants respectively, or so much thereof as shall be just and reasonable, according to the true meaning of such contract, covenant, or agreement, for and during the time of such contract, covenant, or agreement, shall remain in force; and in case any dispute shall arise concerning such contract, covenant, or agreement, the said court of mayor and aldermen shall have power to hear and finally determine the same.

LII. And be it further enacted, That if any person or persons, who shall be liable to pay any rate or assessment to be made by virtue or in pursuance of this act, shall become a bankrupt or bankrupts before he, she, or they, shall have fully paid and satisfied all the money then due and owing for such rates and assessments; then, and in every such case, the assignee or assignees of his, her, or their estate and effects, or other person or persons possessing the same, shall, out of such estate and effects, after paying to the petitioning creditor or creditors his, her, or their costs of suing out and prosecuting the commission against any such bankrupt or bankrupts, in the next place, pay unto the chamberlain of the said city of *London*, for the time being, all such sums of money as were due for such rates and assessments at the time of the suing out any such commission against him, her, or them respectively, or so much thereof as the said estate and effects will extend to pay, and the receipt of the said chamberlain shall be a good discharge for the said money; and every assignee or assignees, or other person as aforesaid, may, to any action or suit commenced or brought against him, her, or them, plead or give in evidence the payment of the same, and shall be allowed such payment out of the estate or effects of such bankrupt or bankrupts, prior to any other debt or demand whatsoever (except as before is excepted) and in case of non-payment of the same by the space of one calendar month after the same shall be demanded, it shall and may be lawful to and for the said commissioners to commence and prosecute one or more action or actions, suit or suits,

Not to vacate any agreement between landlord and tenant.

For recovery of rates against any persons who shall be liable to pay the same, becoming bankrupts.

suits, for the same, in the name of the mayor and commonalty and citizens of the said city, in any of his Majesty's courts of record at *Westminster*, or within the said city, against such assignee or assignees, or other persons as aforesaid.

For making
duplicates of
rates.

LIII. And it is hereby further enacted, That the alderman or his deputy, and the major part of the common council men for the time being, in each ward within the said city or liberties, are hereby required to set down in writing, and sign two duplicates of the rates and assessments which they shall, from time to time, make by virtue of this act, for the purposes aforesaid; in which shall be expressed the names of the collectors who shall be appointed to collect the same; one of which duplicates shall, within ten days next after the making thereof, be deposited by the beadle of the said ward in the office of the chamberlain of the said city of *London*, where the same shall remain; and every citizen of *London*, liable to be rated by virtue of this act, shall and may have free access thereto, at all convenient times, and be permitted to inspect the same without fee or reward; and the person or persons neglecting to deposit such duplicates, in the manner, or within the time aforesaid, or refusing to permit such inspection as aforesaid, shall, for every such offence respectively, forfeit the sum of five pounds.

For appoint-
ing collectors.

LIV. *And, to the end that the said several rates and assessments may be fully and completely raised and paid for the purposes aforesaid*, it is hereby further enacted, That it shall and may be lawful to and for the alderman or his deputy, with the major part of the common council men of each ward, at the court of wardmote to be holden upon or near the feast day of *Saint Thomas* the apostle for the choice of ward officers, to return to the said wardmote the names and places of abode of a competent number of substantial inhabitants of such ward, of whom, so many as the said alderman, or his deputy, and the major part of the said common council men, shall think fit and direct, not exceeding half the number of persons so returned, shall be chosen and appointed at the said wardmote, to be collectors of the rates and assessments which shall be made in pursuance of this act, for one whole year, from the said feast day of *Saint Thomas* the apostle to the same feast day then next following, and so yearly, and from year to year: and the said collectors for the time being are hereby authorized and required, in the respective ward, for which they shall be so chosen collectors, to collect and receive, from time to time, such rates, assessments, and sums of money, as shall be due and payable by virtue of this act, of and from all persons liable to pay the same; and all persons who, by virtue of this act, shall be charged therewith, or be liable thereunto, are hereby required to pay such rates or assessments unto such respective collectors for the time being accordingly; such collectors, from time to time, giving receipts for the same *gratis*, if thereunto required, and which they are hereby enjoined to do, upon request: and every such collector, who shall be chosen

Obliging the
collectors to
take an oath.

chosen by virtue of this act, shall, at the wardmote at which he shall be chosen as aforesaid, or within the space of twenty days then next ensuing, before the alderman of the ward for which he shall be so chosen collector, or his deputy, take and subscribe the following oath, or, being one of the people called *Quakers*, make and subscribe the following solemn affirmation, for the true and faithful execution of the said office.

I A. B. do swear (or solemnly affirm) that I will, according to The oath;
the best of my skill and knowledge, well and truly perform and execute the office of a collector, within the ward of according to the directions and true intent of an act made in the eighth year of his Majesty King George the Third, for the better paving, cleansing, and enlightening, the city of London, and the liberties thereof, and for preventing obstructions and annoyances within the same, and for other purposes therein mentioned.

Which oath or affirmation shall be administered, without fee or reward, by the alderman of each respective ward for the time being, or his deputy: and if any collector, chosen in pursuance of this act, shall refuse or neglect to take the said oath, or (being one of the persons called *Quakers*) to make the said affirmation, or to take upon himself the said office, or, after having taken upon himself the said office, shall refuse or neglect to serve and execute the same, according to the true intent and meaning of this act; he shall, for every such refusal or neglect, forfeit and pay the sum of fifty pounds; and shall, nevertheless, continue liable to be chosen into the said office again the year following, or at any other time, and shall be liable to the like penalty, so often as he shall thereupon refuse or neglect to take upon him and duly to execute the same.

LV. And it is hereby further enacted, That when and as often as any person shall refuse or neglect to take upon him the said office, or to execute the same when chosen, or shall die, or remove out of the ward in and for which he shall be so chosen and appointed, before he has finished his collection; then, and in every or any such case, it shall and may be lawful to and for the alderman of such ward for the time being, or his deputy, with the major part of the common council men of the said ward, by appointment under their hands and seals, to nominate and appoint some other fit and proper person within such ward, to collect the said rates therein, or such sum or sums of money as shall remain due and unpaid thereof: and if such other person so appointed shall refuse or neglect to take and subscribe the said oath, or (being one of the persons called *Quakers*) to make the said affirmation, to serve and execute the said office; then, and in every such last mentioned case, every person so refusing or neglecting shall be liable to the like penalty of fifty pounds as if he had been chosen into the said office at the wardmote, as aforesaid.

In case of refusal or neglect to take the office, the alderman, &c. of the ward, &c. may appoint others.

Not to extend to oblige persons to serve who are by law exempted.

Impowering the collectors to distrain in case of non-payment.

Warrant of distress to be backed.

For punishing persons neglecting their duty in granting or executing any warrant.

LVI. Provided always, and it is hereby further enacted, That nothing in this act contained shall extend, or be construed, to oblige any person or persons to serve the said office of collector, who, by the laws now in being, is or are exempted from serving any ward office.

LVII. And it is hereby further enacted and declared, That if any person or persons who shall be rated or assessed by virtue or in pursuance of this act, shall, by the space of ten days next after his, her, or their respective rate or rates, assessment or assessments, shall be due, and demanded by the collector or collectors authorized and appointed to collect and receive the same (such demand being either personally made to the respective person or persons so charged, or left in writing at his, her, or their respective house or houses, or place or places of abode) then, and in every such case, it shall and may be lawful to and for such collector or collectors, every or any of them, having a warrant or warrants under the hand and seal of the said commissioners, or any three of them (which warrant or warrants the said collector and collectors is and are hereby required to apply for; and the said commissioners, or any three of them, are hereby authorized and required to grant) and, with the assistance of a constable, or other peace officer of the ward, county, city, or liberty, where the person or persons so refusing or neglecting shall reside, to enter his, her, or their house or houses, apartment or apartments, and then and there to distrain his, her, or their goods and chattles; and if the same shall not be replevied, or such rate or assessment paid, within five days next after such distress made, together with the costs and charges thereof, then to appraise and sell so much and such part of the said goods and chattles as shall be sufficient to pay the said rate or assessment, with the costs and charges attending such distress and sale; returning the overplus (if any) to the owner or owners of such goods or chattles, (the said costs and charges to be settled and allowed by the said commissioners, or any three or more of them) who shall have granted such warrant or warrants respectively.

LVIII. Provided always, That no such distress shall, by virtue of this act, be made out of the limits of the said city and liberties thereof, unless such warrant or warrants respectively shall be first backed or countersigned by some magistrate of the county, city, or liberty where such distress is proposed to be made; which warrant or warrants any magistrate who shall be applied to for that purpose, shall forthwith back or countersign, without fee or reward.

LIX. And it is hereby further enacted, That if any such collector or collectors shall refuse or neglect to apply for such warrant or warrants as aforesaid, or to make such distress and sale, pursuant to the directions of this act, except in cases where such distress shall be dispensed with by the alderman or his deputy, and the major part of the common council men of each respective ward, by writing under their hands, in respect

spect of the poverty of the party or parties assessed; such collector or collectors shall, for every such refusal or neglect, forfeit and pay the sum of five pounds: and if any justice of the peace, upon such application to him made to back or counter-sign such warrant or warrants as aforesaid, shall refuse or neglect so to do, such justice shall, for every such refusal or neglect, forfeit and pay the sum of five pounds: and if any constable, being called upon by any collector or collectors having such warrant or warrants, shall refuse or neglect to aid and assist him or them in making such distress and sale, he shall, for every such offence, forfeit and pay the sum of forty shillings.

LX. *And, for the more effectual enforcing the payment of the said rates and assessments for the purposes aforesaid,* it is hereby further enacted by the authority aforesaid, That if any freeman of *London*, liable to pay the said rates and assessments, or any re-assessments, which shall and may be made in the cases herein after-mentioned, shall have neglected or refused to pay the same, or any part thereof, after such demand as aforesaid; or if any such freeman shall, for or in respect of poverty or inability, have desired to be excused, and accordingly shall have been excused, from paying any such rate, assessment, or re-assessment; then, and in every such case, every such freeman shall be under the same incapacity of voting at elections within the city of *London*, as any person or persons now is or are, who do not pay their scot and lot to any of the yearly rates and assessments to which the citizens of *London* are, at this time, or shall hereafter, become liable.

Rendering freemen not paying the rates, incapable of voting at elections.

LXI. Provided always, and it is hereby declared and enacted, That any person or persons who shall think him, her, or themselves, aggrieved by any rate or assessment to be made by virtue or in pursuance of this act, may, within the space of thirty days next after such rate and assessment shall have been demanded as aforesaid, appeal to the said commissioners; and they are hereby authorized and required forthwith to appoint a day for hearing such appeal; and the party or parties so appealing shall give three days notice, at the least, of the day so appointed, to the alderman of the ward in which the said assessment shall have been made, or to his deputy; and such notice having been given, the said commissioners shall and may, upon the day so appointed, proceed to hear and determine such appeal; and their determination shall be final; and no fees shall be paid on the making, hearing, or determining, of such appeal.

Allowing an appeal to the commissioners.

LXII. Provided also, and it is hereby further enacted and declared, That if the alderman of any ward, within the said city of *London*, or his deputy, with the major part of the common council men of the said ward, shall, at any time or times hereafter, in any rates or assessments by them to be made, by virtue or in pursuance of this act, neglect or omit to rate or assess any person or persons liable to such rates or assessments, or shall neglect or omit to rate or assess any lands, tenements, or hereditaments, or the inhabitants or occupiers thereof, with-

Directing the commissioners to hear and determine complaints of any inhabitants upon any deficiency of rate, or omission.

in their ward, in proportion to the yearly rent of such lands, tenements, or hereditaments respectively, as the same shall be ascertained and rated in the rate or assessment towards the land tax; then, and in every such case, upon complaint thereof made by any inhabitant of the said city to the said commissioners, they are hereby authorized and required forthwith to appoint a day for hearing such complaint; and the party or parties complaining shall give three days notice at the least of the day so appointed, to the alderman of the ward to which such complaint shall relate, or to his deputy; and such notice having been given, the said commissioners shall and may proceed to hear and determine such complaint; and for that purpose shall and may summon witnesses before them, and examine such witnesses upon oath; which oath the said commissioners are hereby authorized and impowered to administer; and if the said commissioners shall judge the matter of such complaint to be true, they shall make such alterations in the said rate or assessment as shall be just.

For paying
the money
collected into
the chamber-
lain's office.

LXIII. And it is hereby further enacted, That every collector of the rates and assessments aforesaid shall, from time to time, pay the monies arising therefrom, as he shall receive the same, to the chamberlain of the said city of *London* for the time being; and upon every such payment, the said chamberlain, or one of his clerks, shall, without fee or reward, sign and give receipts in writing to such collector, expressing his name, the sum paid, and the name of the ward to which the said collector shall belong; and if such collector shall at any time keep and retain in his hands, of the monies so to be collected by him, the sum of twenty pounds, or upwards, above two days (the chamber of *London* being within that time open to receive the same) then, and so often, such collector shall forfeit and pay the sum of ten shillings for every day he shall retain the said sum of twenty pounds, or upwards, beyond the said two days.

Collectors to
deliver in an
account in
writing un-
der their
hands.

LXIV. And it is hereby further enacted by the authority aforesaid, That every collector to be appointed by virtue or in pursuance of this act shall, upon three days notice in writing given to or left for him at his usual place of abode, by the alderman of the ward to which such collector shall belong, or his deputy, attend the said alderman, or his deputy, at such time and place, within their ward, as he shall appoint; or upon notice in writing to be given or left as aforesaid, by the clerk or clerks respectively, to the said commissioners, shall attend the said commissioners at such place as they shall appoint in such notice; and then and there, if required, deliver to such alderman, or his deputy, or to the said commissioners, upon oath (or if such collector be a *Quaker*, then upon his solemn affirmation; which oath or affirmation such alderman or deputy is hereby impowered to administer) a true, exact, and perfect account in writing, under the hand of such collector, of all sums of money which he shall then have received by reason of the said office; and

also a true list of the names of all persons within his ward, who shall have refused or neglected to pay his, her, or their said rates or assessments, with a true account of the several sums of money which such persons shall respectively be in arrear, to the intent that the same may be speedily got in and recovered: and if any collector, after such respective notices given as aforesaid, shall refuse or neglect to attend, or deliver in his accounts as aforesaid, or to produce and deliver in the vouchers relating to the same, or to account for any sum or sums of money by him collected or received, and to pay the same, and every part thereof, as is herein above directed; then, and in every such case, such collector shall, for every such refusal or neglect, forfeit and pay such sum of money as the rates and assessments, which he shall have been entrusted or authorized to collect, shall amount unto, after deducting the amount of the sum or sums by him actually paid to the chamberlain of the said city for the time being; which forfeiture shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, to be commenced and prosecuted in the name of the said mayor and commonalty and citizens of the said city; in which action or suit, such collector shall be held to special bail, and no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

LXV. Provided always, and it is hereby further enacted and declared, That if any collector or collectors of the said rates and assessments, shall have in his or their hands any of the said rates or assessments collected by him or them, and shall refuse to account for and pay the same as aforesaid, it shall and may be lawful to and for any justice of the peace for the said city, by warrant under his hand and seal, to cause such collector or collectors to be brought before him, to hear and determine the matter of such complaint in a summary way; and if, upon the confession of such collector or collectors, or the testimony of any credible witness or witnesses, upon oath (which oath such justice is hereby impowered and required to administer) it shall appear to him that any of the monies which shall have been collected and raised by virtue of this act, shall then be in the hands of such collector or collectors, and that he or they refuseth or refuse to pay the same, according to the true intent and meaning of this act, the said justice is hereby authorized and required, by a warrant or warrants under his hand and seal, to cause such money to be levied by distress and sale of the goods and chattles of such collector or collectors respectively; and if no goods or chattles of such collector or collectors can be found sufficient to answer and satisfy the said money, and the charges of such distress and sale, then the said justice may and shall commit such collector or collectors to one of the compters of the said city, there to be detained and kept without bail or mainprize, until he or they shall pay the same, or such composition as the said commissioners shall agree to accept

Collectors refusing to account, the same to be levied by distress and sale.

in full; which composition such commissioners are hereby empowered to make.

Commissioners to summon and examine collectors, upon oath, touching any complaint or neglect of duty.

LXVI. And it is hereby further enacted, That every collector to be appointed by virtue or in pursuance of this act, shall, upon three days notice in writing, given to or left for him at his usual place of abode, by the clerk of the said commissioners, attend the said commissioners at such time and place as shall be appointed in such notice, and then and there, if required, answer upon oath (or if such collector shall be a *Quaker*, then upon his solemn affirmation; which oath or affirmation such commissioners, or any two of them, are hereby empowered to administer) touching any neglect of duty, or other matters of complaint against him; and if any such collector shall refuse or neglect to attend on such notice as aforesaid, it shall and may be lawful to and for the said commissioners, and they are hereby authorized and required, by warrant under their hands and seals, or the hands and seals of any three or more of them, to cause such collector to be brought before them, and to hear and determine the matter of such complaint, in a summary way; and if such collector shall not shew good cause of excuse, to the satisfaction of the said commissioners, for his neglecting or refusing to attend on such notice as aforesaid, he shall, for every such neglect or refusal, forfeit the sum of forty shillings, to be levied by distress and sale of the goods and chattles of such collector; and if no goods and chattles of such collector can be found, sufficient to answer and satisfy the same, and the charges of such distress and sale, then the said commissioners, by their warrant as aforesaid, may and shall commit such collector to one of the compters of the said city, there to be detained and kept for any time not longer than one month, nor less than fourteen days.

In case of collectors becoming bankrupts, executors, or assignees, to pay the money.

LXVII. And it is hereby further enacted, That if any collector or collectors shall happen to die, or become bankrupt, before he or they shall have fully paid and satisfied all the money by him or them received by virtue of this act, or such composition for the same as aforesaid; then, and in every such case, the executors or administrators, executrix or administratrix, or other legal representative or representatives, of such collector or collectors, or other person or persons possessing his or their estate and effects, shall, in the first place, out of such estate and effects, pay unto the chamberlain of the said city of *London* for the time being, all such sums of money as were in the hands of such collector or collectors at the time of his or their death; and the assignee or assignees of his or their estate and effects, in case of bankruptcy, shall, after paying to the petitioning creditor or creditors, his, her, or their costs of suing out and prosecuting the commission against such bankrupt or bankrupts, in the next place, pay unto the said chamberlain all such sums of money as were in the hands of such collector or collectors, at the time of the suing out of any such commission of bankruptcy against him or them, or so much thereof

as the said estate or effects will extend to pay, and the receipt of the said chamberlain shall be a good discharge for the said money; and every executor or administrator, assignee or assignees, or other person, as aforesaid, may, to any action or suit commenced or brought against him or them, plead, or give in evidence the payment of the same, and shall be allowed such payment out of the estate and effects of such collector or collectors, prior to any other debt or demand whatsoever; and in case of non-payment of the same, by the space of one calendar month after the same shall be demanded, it shall and may be lawful to and for the alderman of the said ward, or his deputy, to commence and prosecute one or more action or actions for the same, in the name of the mayor and commonalty and citizens of the said city, in any of his Majesty's courts of record, against such executors or administrators, assignee or assignees, or other person as aforesaid.

LXVIII. *And, to the intent that substantial persons may be chosen and appointed collectors in each ward,* it is hereby further enacted, That in case any collector or receiver of the said rates or assessments shall become insolvent, or shall embezzle, or make away with, detain, or misapply, any sum or sums of money so collected by him for the uses aforesaid, so that the same cannot be recovered, or shall die possessed of any sum or sums of money by him or them collected by virtue of this act, and which shall not be paid by his executors or administrators; then, and in every such case, such sum and sums of money shall be again rated and assessed on the inhabitants of the ward for which such person was chosen and appointed collector, by the alderman of such ward, or his deputy, with the major part of the common council men of the said ward, in such proportion and manner as the rates are directed to be made by this act; and shall be collected, levied, and distrained in such manner, and under such penalties, as are herein provided for collecting and levying the rates due and payable by this act.

LXIX. And it is hereby further enacted, That the chamberlain of the said city of *London* for the time being shall and may, and is hereby authorized and required, out of the monies collected and paid into the chamber of the said city pursuant to this act, to pay all sums of money which the said commissioners shall, from to time, draw upon him for, or order him to pay; and the said chamberlain, for the time being, shall, and he is hereby required to keep regular and clear entries in a book or books to be for that purpose by him provided and kept, of all and singular his receipts and payments, on account or in pursuance of this act; to which book or books every citizen of *London*, liable to the said rates, shall and may have free access at all convenient times, with full liberty to inspect the same, without fee or reward; and also that the said chamberlain, for the time being, shall, once in every year, have the said accounts audited and passed by the said commissioners, and shall deliver copies of the said accounts to each house of

If collectors or receiver become insolvent, &c. the money to be again assessed.

Chamberlain to pay all sums of money, by order of the commissioners, and to make entries.

par-

parliament, within twenty days after the opening of every session.

Commissioners impowered to borrow money upon the credit of the rates.

LXX. *And, for the more effectually enabling the said commissioners to execute the purposes of this act, in the most expeditious manner,* it is hereby further enacted, That it shall and may be lawful for the said commissioners, and they are hereby impowered, from time to time, when they shall judge it necessary for the purposes aforesaid, to borrow and take up at interest any sum or sums of money, not exceeding one hundred thousand pounds, upon the credit of the rates or assessments to be made and payable by virtue of this act; and by any writing or writings, upon vellum or parchment, signed by them, to assign the said rates or assessments, to any such person or persons who shall advance or lend such money thereon, as a security or securities for the several sums so borrowed, with legal or lower interest for the same; which interest shall be payable and paid half-yearly by the chamberlain of the said city for the time being, out of the monies to arise by or from the said rates or assessments.

For borrowing money, by annuities on lives.

LXXI. *And whereas many persons may chuse to advance money for the purchase of annuities, to be secured upon, and payable out of, the said rates and assessments,* it is hereby further enacted, That it shall and may be lawful to and for any person or persons to contribute, advance and pay, into the hands of the said commissioners, for the purposes of this act, any sum or sums of money, not exceeding in the whole the sum of one hundred thousand pounds, for the absolute purchase of one or more annuity or annuities, to be paid and payable during the full term of the natural life of such persons, being of the age of forty five years, or upwards, as shall be nominated by or on the behalf of such respective contributors, at the time of payment of their respective contribution-monies; which annuity or annuities shall not exceed the rate of eight pounds *per centum per annum* for every one hundred pounds, and so in proportion for any greater or lesser sum to be advanced and paid as aforesaid: all which annuities so to be purchased, shall be payable and paid by the said chamberlain of the said city for the time being, out of the monies to arise by or from the said rates and assessments, by four equal quarterly payments; the first payment to be made to the respective purchasers, or their assigns, at the expiration of the first quarter after payment of their respective purchase-monies; the rate whereof shall be settled and adjusted by a publick sale of the said annuities by the said commissioners to the best bidder for the same.

If annuitants die, any person may purchase annuities for their lives.

LXXII. *Provided always, and it is hereby further enacted,* That when and as often as any such annuitants shall die, it shall and may be lawful for any person or persons to purchase of the said commissioners one or more annuity or annuities upon the life of such persons, and upon such terms and conditions, and to be payable in such manner as above mentioned; so that the sum or sums to be contributed for the purchase of any annuities

nuities to be granted by virtue of this act shall, at no one time, exceed the said sum of one hundred thousand pounds.

LXXIII. And it is hereby further enacted, That the clerk of the said commissioners for the time being shall enter in a book or books to be for that purpose provided and kept by the said commissioners, all securities for monies borrowed, or annuities granted, by virtue or in pursuance of this act, and all assignments or transfers thereof, expressing in words at length the names, surnames, additions, places of abode, and other descriptions, of all such persons as shall, from time to time, be intitled to such securities, and the sums received upon such securities; and also the names, surnames, additions, places of abode, and other descriptions, of the persons for whose lives the said annuities shall be respectively granted, and the days whereon the said annuities shall respectively be payable; to which book and books the person and persons intitled to, and possessed of, such annuities, and all and every the person or persons liable to the payment of the said rates and assessments, shall, at all seasonable times, have access, with free liberty to inspect the same, without fee or reward.

Clerk to enter all securities for monies borrowed, or annuities granted.

LXXIV. And it is hereby further enacted, That all and every person and persons who shall purchase such annuity or annuities, and shall duly pay the purchase-moneys for the same at the rates aforesaid, and his, her, or their respective executors, administrators, and assigns, shall have, receive and enjoy, the respective annuity or annuities so purchased, during the term of the natural life or lives of the person or persons by them respectively nominated at the time of such purchase, and shall have good, sure, absolute, and indefeasible estates and interests in the said annuities respectively, according to the true tenor and meaning of this act; and that none of the said annuities shall be subject or liable to any tax assessed upon land by authority of parliament; and every such purchaser shall, upon payment of his or her purchase-money as aforesaid, have an order on parchment or vellum for payment of the annuity or annuities so purchased by him or her, for and during the natural life or lives of such person or persons as shall be nominated by him or her as aforesaid; which order shall be signed by the said commissioners; and, after signing thereof, shall be firm, good, valid, and effectual in the law, according to the purport and meaning thereof, and of this act.

That the annuities shall not be liable to taxes.

LXXV. And it is hereby further enacted, That it shall and may be lawful to and for any person or persons intitled to any of the securities aforesaid, and his, her, or their executors, administrators, or assigns, at any time or times, by writing under his, her, or their hand or hands respectively, to assign or transfer such securities, by indorsement on the back thereof, to any person or persons whatsoever, and so *toties quoties*; and such assignments or transfers after they shall respectively be entered by the clerk of the said commissioners in manner aforesaid (which he is hereby required to do without fee or reward) shall

For assignment of securities.

shall intitle the person or persons to whom they shall be respectively made, and his, her, or their respective executors, administrators, and assigns, to the benefit of the security or securities so assigned or transferred.

In case any persons shall forge, &c. any assignment, certificate, &c. of any annuitants.

LXXVI. And be it further enacted, That if any person or persons whatsoever shall forge or counterfeit, or procure to be forged or counterfeited, or wilfully act or assist in forging or counterfeiting, any assignment of any such annuity as aforesaid, or any certificate of the age or of the life of any nominee, or any order or authority in writing to receive any annuity due, or to grow due, to any proprietor thereof, or any part thereof, or shall knowingly or fraudulently demand, or endeavour to have or receive, any such annuity or annuities, or any part thereof, by virtue of any forged or counterfeited assignment, letter of attorney, certificate, instrument, order, or authority, in writing, or shall falsely and deceitfully personate any true and real proprietor or proprietors of any such annuity or annuities, or the assignee of any such proprietor or proprietors, and thereby receiving, or endeavouring to receive, the money of any such true and lawful proprietor or assignee, as if such offender were the true and lawful owner thereof; then, and in every and any of the said cases, all and every such person and persons so offending, and being thereof convicted in due form of law, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy.

For charging the money borrowed on the rates.

LXXVII. And it is hereby further enacted, That all and every the sum and sums of money so to be advanced and lent, and the interest thereof, and all and every the annuity and annuities so to be purchased, under and by virtue of this act, shall be, and they are hereby charged upon, and shall be paid and payable, from time to time, out of the monies arising from the rates and assessments to be rated and assessed by virtue and for the purposes of this act; and all the persons who shall be so possessed of such securities shall be creditors in equal degree, without preference in respect of the priority of his, her, or their, advancing the money thereon.

No persons charged towards the rates, shall be charged with other rates of any former act.

LXXVIII. Provided always, and be it further enacted and declared, That no person who shall be charged or assessed towards the rates to be made by virtue or in pursuance of this act, shall thereafter be liable to, or charged with, any other rates or assessments made, or to be hereafter made, by virtue or in pursuance of any former act or acts of parliament, for or towards the paving, cleansing, or enlightening, the said city and liberties, or any part thereof.

Not to extend to repeal rates under former acts.

LXXIX. Provided also, and it is hereby further enacted and declared, That nothing in this act contained shall extend, or be construed to extend, to repeal, annul, or make void, any of the said rates or assessments made or charged by virtue or in pursuance of any such former act or acts of parliament, which were due and payable, or in arrear, on the twenty ninth day of Sep-

tember,

tember, one thousand seven hundred and sixty seven, or any of the remedies, powers or provisions, given or provided by such former act or acts respectively for the collecting, levying, or recovering the same; but all such rates and assessments, and all arrears thereof respectively, which were due and payable on the said twenty ninth day of September, one thousand seven hundred and sixty seven, and all the remedies, powers, and provisions, in and by such former act or acts respectively granted, enacted, or provided, for the collecting, levying, and recovering, the same respectively, shall continue and be in force; any thing herein before contained to the contrary thereof in any wise notwithstanding.

LXXX. *And whereas certain parts of Holborn, the Minories, and Aldersgate Street, are supposed to be out of the liberties of the said city of London, by means whereof the pavements of the several streets and places within the same respectively cannot be completely finished by the powers hereby vested in the said commissioners; wherefore, for the better and more speedy completion of the same, be it enacted, That the several powers and authorities hereby vested in the said commissioners, and all the provisions and regulations herein before established, declared, and provided, for the purposes of paving, cleansing, and enlightening, the said city and the liberties thereof, and for other purposes of this act, shall respectively extend and shall be in force, and shall in all respects be executed by the said commissioners, within such parts of Holborn, the Minories, and Aldersgate Street, as are, or are supposed to be, out of the liberties of the said city of London; and the courts and alleys leading into the same, or communicating therewith, and the inhabitants of the several parts and places aforesaid, shall be rated and assessed according to the provisions herein before made by the alderman of the ward next adjoining to the same respectively, or by his deputy, with the major part of his common council men, and such rates shall be recovered in manner herein before directed; any law, statute, custom, usage, or prescription, to the contrary notwithstanding.*

For assessing certain places in Holborn, &c. as are out of the liberties of the said city, for the purposes of this act.

LXXXI. *Provided always, and be it further enacted and declared by the authority aforesaid, That nothing in this act contained shall extend, or be construed to extend, to the liberty of Saint Martin le Grand belonging to the dean and chapter of Westminister; any thing in this act to the contrary in any wise notwithstanding.*

Liberty of St. Martin le Grand excepted out of this act.

LXXXII. *And whereas it was by an act of the seventeenth year of the reign of his said late majesty King George, the Second, intitled, An act for making effectual provision for enlightening the streets of the city of London, enacted, That if at the expiration of seven years, it should be found that any surplus should have arisen from the monies collected by virtue of the said act, over and above what should have been issued and applied in pursuance thereof, such surplus monies should remain in the chamber of the said city of London, to be applied either in aid of the orphans fund, or in abatement or diminution of future rates and assessments, or to be otherwise disposed*

Recites the act of 17 Geo. 2.

Surplus monies collected by virtue of the recited act, &c. to be applied to the purposes of this act.

A toll to be taken at the several turnpikes hereafter mentioned, before any cattle or carriage shall be permitted to pass on a Sunday.

The tolls.

posed of to and for the use and benefit of the citizens of London, as they by an act of common council should direct and appoint: And where-as part of the money arising by the sale of six thousand pounds, three per cent. consolidated bank annuities, which were purchased with or out of the surplus money collected by virtue of the said last mentioned act, over and above what had been issued and applied in pursuance thereof, is now remaining in the chamber of the said city; and it will tend to expedite the good purposes of this present act if such money as now is, or hereafter may be, in the chamber of London of the monies collected, or to be collected, by virtue of the said former act, were to be applied towards the carrying on the purposes aforesaid; therefore it is hereby further enacted and declared, That the said money, and all such surplusses as have arisen, or shall or may arise, from the monies collected, or to be collected, by virtue of the said act of the seventeenth year of his said late Majesty, and shall on the twenty fifth day of *December*, one thousand seven hundred and sixty seven, be remaining in the said chamber of *London*, over and above what shall then have been issued and applied in pursuance of the said last mentioned act, shall and may be applied towards the purposes of this present act at such time or times, and in such manner, as the said commissioners shall, from time to time, think fit, order, or direct; and the chamberlain of the said city for the time being shall immediately after the said twenty fifth day of *December*, one thousand seven hundred and sixty seven, carry the said money, and the amount of the surplus of the said monies which shall then be in his hands, to the credit of the account of monies to be collected and paid into the said chamber by virtue or in pursuance of this present act.

LXXXIII. *And to the end and intent that the useful purposes of this act may be the better and more speedily carried into execution, and for and towards increasing the fund for defraying the charges of the same*, it is hereby further enacted, That upon and after the first Sunday next after the passing of this act there shall be paid to the receiver or receivers, collector or collectors, to be nominated and appointed as herein after-mentioned, before any cattle or carriage shall be permitted to pass on a Sunday through any or either of the turnpikes herein after mentioned, or through any turnpike to be erected by virtue of this or any other act or acts of parliament near the same; *videlicet*, the turnpike at *Mile End*, the turnpike at *Bethnal Green*, the turnpike at *Hackney*, the turnpike at *Kingsland*, the turnpike at *Ball's Pound or Pond*, *Islington*, the turnpike at *Holloway*, the turnpike at the end of *Saint John's Street*, the turnpike at the end of *Goswell Street*, and the turnpike on the *New Road*, commonly called the *City Road*, all which turnpikes are in the county of *Middlesex*, the following tolls; *videlicet*,

For every coach, chariot, berlin, chaise, chair, calash, or other carriage, drawn by six or more horses or mules, the sum of ten pence; and for every coach, chariot, berlin, chaise, chair, calash, or

or other carriage, drawn by four horses or mules, the sum of eight pence.

For every coach, chariot, berlin, chaise, chair, calash, or other carriage, drawn by three or two horses or mules, the sum of six pence; and for every chaise, chair, calash, or other carriage drawn by one horse or mule, the sum of three pence.

For every horse, mule, or ass, not drawing, the sum of one penny.

Which said respective sums of money shall and may be demanded and taken for, and in the name of, a street toll, over and above, and exclusive of, all other tolls which are or shall be authorized to be taken and collected upon or on account of the said roads, or any of them; and the monies arising therefrom shall be, and are hereby, vested in the said mayor and commonalty and citizens, and shall be disposed of for the purposes of this act: and the said commissioners are hereby empowered, by themselves, or by any person or persons by them thereto authorized, to levy the toll hereby required to be paid upon any person or persons who shall, after demand thereof made, neglect or refuse to pay the same as aforesaid, or to deny or hinder any passage through the said turnpikes respectively until payment thereof; which said toll shall and may be levied by distress of any horse or horses, or other cattle, upon which the toll is by this act imposed, or upon any of the goods and chattels of such person or persons who ought to pay the same; and all such horses, cattle, or goods, may be detained until such toll, with the reasonable charges of such distress, shall be paid; and it shall and may be lawful for the person or persons so distraining, after the space of four days from the time of making and taking such distress, to sell the horse or horses, cattle, goods, or chattels, so distrained, rendering the owner or owners thereof the overplus, upon demand, after satisfaction of the said toll, and the reasonable charges in and about making such distress, keeping, and sale, shall be fully paid and satisfied.

LXXXIV. And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful for the said commissioners, if they shall think proper, at any time or times, during the continuance of this act, to cause to be erected any turnpike or turnpikes at or near all or any of the respective places aforementioned, for the purposes of collecting the several and respective tolls hereby made payable; and also cause to be erected or provided a toll-house at or near each turnpike, and, from time to time, to remove or alter the same, as they the said commissioners shall think expedient; and the right and property of all the turnpikes and toll-houses to be, from time to time, erected and provided by virtue of this act, and the right and property of the materials provided for building or repairing the same, shall be, and are hereby, vested in the mayor and commonalty and citizens, and they are hereby empowered to bring, or cause to be brought, any action or actions in the name of the corporation,

The said tolls to be taken above and exclusive of all other tolls.

Tolls vested in the mayor and commonalty and citizens.

Tolls may be levied by distress and sale.

Distress may be sold after 4 days.

Commissioners may erect turnpikes, &c.

Turnpikes, &c. vested in the mayor and commonalty and citizens.

ration; and to prefer, or order the preferring of, indictments against any person or persons who shall injure the same, or any part thereof, or disturb them in the possession thereof, or take or retain, or hold possession thereof, after being required by order of the commissioners to deliver up the same.

Tolls may be collected at the turnpikes already erected.

LXXXV. Provided always, and it is hereby further enacted and declared, That it shall and may be lawful for the several and respective receivers or collectors, and other persons to be appointed by virtue of this act, to receive and collect the several tolls hereby made payable, and they are hereby authorized and empowered, for the purposes of this act, without the let, hindrance, or molestation, of any person or persons whatsoever, to make use of all or any of the gates, turnpikes, and toll-houses, already erected, or hereafter to be erected or continued, by virtue of any act or acts of parliament, at or near the several and respective places whereat any toll is hereby authorized to be taken, so as such respective receivers, collectors, or other persons, do in no wise hinder or interrupt the transacting of any business or purpose for which such turnpikes and toll-houses were respectively erected or provided.

Tolls to be paid but once a day.

LXXXVI. Provided also, and it is hereby further enacted, That no person or persons shall be liable to pay the said street-toll more than once for passing or repassing at any time or times on the same day as aforesaid, with the same cattle and carriage; but that all and every person and persons, after having paid such toll once as aforesaid, shall, during the remainder of such day, pass toll-free, with respect to the said street toll, with the same cattle and carriages, through the gate or turnpike at which any such toll was paid, and also through all other gates and turnpikes whereat the said tolls are hereby made payable, upon producing a note or ticket denoting the payment of such toll; which notes or tickets the collectors of the said tolls are hereby required to give *gratis* on receipt of such tolls.

Commissioners may lease, &c. the tolls.

LXXXVII. And it is hereby further enacted, That the said commissioners may, and they are hereby empowered, upon ten days notice being given in the *London Gazette*, to lease or farm by the year the tolls by this act granted, or any part or parts thereof, to any person or persons, at or for the largest yearly sums that can be got for the same, provided that such lettings or agreements be made in writing, and signed by the person or persons taking or farming any such tolls, and by the said commissioners letting the same, and be not made for more than three years at a time, and that the money that shall be so agreed to be paid for the said tolls shall be made payable, and shall be paid to the chamberlain of the said city for the time being, by quarterly payments, and that the person or persons to whom the same shall be so lett shall always pay one quarter's pay in advance: and if any letting or agreement for letting the said tolls, or any part or parts thereof, shall be made, and any default shall be made in paying the money agreed to be paid, contrary to the true meaning of this act; then every such letting and agreement shall

shall be void, and the person or persons to whom the said tolls shall be lett shall be liable to account for the same, and to have the same levied and recovered upon and of him or them, in the same manner as is by this act directed for the accounting for the said tolls by the collectors thereof, and for the levying and recovering the same upon and of them.

LXXXVIII. And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, at any time or times, by any writing or writings under their hands and seals, to nominate and appoint such person or persons to be receiver or receivers, collector or collectors, of the said respective tolls, as they shall think fit; and all persons by this act made liable to pay the said tolls, or any of them, are hereby required to pay the same to such receiver or receivers, collector or collectors, as aforesaid; and all such receivers and collectors shall respectively pay the same into the office of the chamberlain of the said city, in like manner, and under the like regulations and restrictions, as are herein before expressed, of and concerning the collecting and paying the rates and assessments aforesaid; and shall also upon oath, if thereunto required by the said commissioners constituted by this act, (which oath the said commissioners are hereby authorized and empowered to administer) from time to time give unto the said commissioners, or to such person or persons as they shall appoint for that purpose, a true, exact, and perfect account in writing, under their respective hands, of all monies which they, and every or any of them, shall to such time have received by virtue of this act; and if such receiver or collector shall not make and render, or shall refuse to verify upon oath, any such account, or to make payment as aforesaid; then, or in either of such cases, it shall be lawful to or for one or more justice or justices of the peace; and such justice or justices, upon complaint to him or them made, is and are hereby authorized and required to make enquiry concerning such default, as well by confession of the party, as by the testimony of any credible witness or witnesses, upon oath (which oath such justice or justices is and are hereby empowered and required to administer, without fee or reward); and if any such receiver or collector shall be convicted of any or either of the offences aforesaid, such justice or justices shall commit every such offender to the common gaol, without bail or mainprize, until he shall give or make a true and perfect account and payment as aforesaid, or until he shall have compounded with the said commissioners constituted by this act, and shall have paid such composition in such manner as they shall appoint, which composition the said commissioners are hereby empowered to make; and the said commissioners shall and may, out of the monies arising by the said tolls, or otherwise, make such allowance unto their receivers and collectors, and all other persons to be employed by or under the said commissioners in the execution of this act, for their care

Commissioners may appoint officers.

Officers to account upon oath.

Officers refusing to account.

Justices to enquire into the default.

and commit the offender, until payment or composition made.

Commissioners to allow officers salaries.

For farming
the tolls.

and pains in their respective offices, as the said commissioners shall think fit and reasonable.

LXXXIX. And it is hereby further enacted, That it shall and may be lawful to and for the commissioners of any one of the said turnpikes for the time being, or for any three or more of the commissioners of each of the said turnpikes, at any of their publick meetings, to treat and agree with the commissioners constituted by this act, for the taking or farming any of the said tolls.

Tolls may be
assigned for
money bor-
rowed.

XC. And it is hereby further enacted, That the said commissioners may, and they are hereby impowered, to borrow and take up at interest, any sum or sums of money upon the credit of the tolls payable by virtue of this act, and to assign over the same, or any part thereof, by any writing or writings under their hands and seals, the charges of such assignments and conveyances to be paid out of such tolls respectively, to any person or persons who shall advance or lend their money thereon, as a security or securities for the several sums which shall be borrowed, and the interest thereof, as aforesaid: and copies of all such assignments and conveyances shall be entered in a book or books to be kept for that purpose by the clerk for the time being of the said commissioners; and all and every person and persons, to whom such assignments shall be made, are hereby impowered, from time to time, to assign and transfer their right and interest, by indorsement on the back of their securities, in like manner and form, as the securities for the monies borrowed on the rates and assessments to be made and levied by virtue of this act, are before directed to be assigned and transferred; and all such assignments and transfers shall be produced, notified, and entered, in like manner as is before described, with respect to the producing, notification, and entry, of the assignments and transfers of the securities for such rates and assessments; and it shall not be in the power of any person who shall have made any assignment or transfer of their securities, on the said tolls, to make void or discharge the same, or any money due thereon; and no person or persons advancing any sums of money on the credit of the said tolls, shall be intitled to any preference with respect to the priority of advancing any such sum or sums; but all persons, to whom any mortgages or assignments shall be made as aforesaid, shall be creditors in equal degree one with another, in proportion to the sums therein mentioned.

Assignments
to be entered
in a book.

All creditors
deemed equal
in degree.

Penalty on
forcibly pass-
ing through
the gates, &c.

XCI. And it is hereby further enacted, That if any person or persons shall forcibly or wilfully go or pass with any horse, beast, or carriage, through any turnpike whereat any toll is by virtue of this act to be paid, without paying such toll, or producing a note or ticket as aforesaid, at such turnpike, or shall knowingly or designedly, assault, interrupt, or obstruct, any or either of the collectors or persons employed in the collecting or receiving any or either of the said tolls, in the execution of his or their respective office or offices; or shall forge, counterfeit, or alter, or shall deliver to, or receive from, any other person or persons,

or giving or
receiving
tickets, &c.

persons, any note or ticket, with an intent to avoid the payment of any or either of the said tolls, or any part thereof; every person, so offending, shall, for every such offence, forfeit and pay the sum of forty shillings, over and besides such damages and punishments as they and every of them respectively shall be liable to by law; and it shall and may be lawful to and for the said receivers or collectors, and for every of them, and all other persons required by them, to assist in that respect, to seize any horse or horses, cattle, or goods, belonging to, or in the possession, or under the care of, any person or persons so offending in the premises, and to take such offenders before any justice of the peace, and before him to make complaint of such offence or offences; and such justice may and is hereby required to enquire into the same, as well by examination of the party or parties, as by the testimony of any credible witness or witnesses, upon oath (which oath such justice is hereby impowered to administer, without fee or reward) and, if the said justice shall see cause, to convict the party or parties complained of in the penalty aforesaid; and for non-payment thereof, and of the tolls that shall be due (though the same shall not be demanded) by warrant under his hand and seal, to cause the said horse or horses, cattle, or goods, to be sold for payment of the said tolls and penalties; and the charges of seizing and keeping the same, and of such sale, rendering the overplus (if any there shall be) to the owner or owners of the said horse or horses, cattle, or goods, or to the person or persons under whose care, or in whose possession, they respectively were so seized as aforesaid; and if no such seizure as aforesaid can or shall be made, then the aforesaid penalty and tolls shall be levied and recovered by such means, and applied in such manner, as herein after mentioned: and moreover, it shall and may be lawful for any of the collectors of the rates hereby granted, or other officer, to be appointed by virtue of this act, who shall be assaulted, obstructed, or interrupted, in the execution of any of their respective offices, and for every of them, and all other persons required by them to assist in that respect, to take such offender before any justice of the peace, who is hereby required to inquire into the same in manner as above directed, and, if he shall see cause, to convict the party or parties complained of in the penalty last mentioned, to be levied and recovered as hereafter directed.

Persons assaulting, &c. the collectors, they are impowered to take them before a justice of the peace.

XCII. And it is hereby further enacted, That all the monies to be raised by virtue of this act shall be, and the same are hereby, vested in the said mayor and commonalty and citizens of the said city, and shall be applied to the purposes of this act, and to and for no other use or purpose whatsoever.

All monies raised by virtue of this act vested in the mayor and commonalty and citizens. Charges of passing this act how to be paid.

XCIII. Provided always, and it is hereby further enacted, That the charges and expences of procuring and passing this act shall be paid out of the first monies which shall be raised by virtue thereof.

XCIV. Provided also, and it is hereby further enacted by the authority aforesaid, That no nomination, contract, bond, war-

rant, stamps.

rant, judgement, or other writing whatsoever, under the hand and seal, or hands and seals, or only signed by any commissioner or commissioners constituted by this act, or any justice or justices of the peace, or exhibited before any of them, or under the hand and seal, or hands and seals, or only signed by any other person or persons whatsoever, relating to the execution of this act, shall be chargeable with any duty whatsoever.

Penalties and forfeitures how to be recovered and applied.

XCIV. And it is hereby further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed (the manner of recovering and levying whereof is not hereby otherwise particularly directed) shall be recovered and levied by distress and sale of the offender's goods and chattels, by warrant under the hand and seal, or hands and seals, of any one or more justice or justices of the peace of the city or place where the offence shall be committed, or the offender found; which warrant such justice or justices are hereby impowered and required to grant upon the confession of the party or parties, or upon information of one or more credible witness or witnesses, upon oath, (which oath such justice or justices is and are hereby impowered to administer;) and the penalties and forfeitures when recovered, after rendering the overplus (if any be) upon demand, to the party or parties whose goods and chattels shall be so distrained and sold (the charges of such distress and sale being first deducted) shall be paid to the chamberlain of the said city for the time being, and be applied the one half to the informer, and the other half towards the purposes of this act; and in case sufficient distress shall not be found, then it shall and may be lawful to and for any such justice or justices to commit such offender to any prison of the city or place within his or their jurisdiction, without bail or mainprize, for any space of time not exceeding thirty days; nor less than ten days; and in cases where the penalties and forfeitures hereby inflicted for any offence contrary to this act shall not exceed the sum of forty shillings, such offences shall be heard and determined by the commissioners in a summary way.

Proceedings not to be quashed for want of form

XCVI. And it is hereby further enacted, That no proceeding to be had touching the conviction of any offender or offenders against this act, or any order made, or other matter or thing to be done or transacted, in or relating to the execution of this act, shall be vacated or quashed for want of form; any law or statute to the contrary notwithstanding.

Limitation of actions.

XCVII. And it is hereby further enacted, That no action or suit shall be commenced against any person or persons for any thing done in pursuance of this act until twenty one clear days notice shall be thereof given, in writing, to the clerk for the time being of the commissioners constituted by this act, or after sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, or after six calendar months next after the fact committed for which such action or actions, suit or suits, shall be so brought, and every such action shall be brought, laid, and tried, in the city or county where the cause of action shall arise,

arise, and not elsewhere; and that the defendant or defendants in such actions or suits, and every of them, may plead the general issue, and give this act and the special matter in evidence, at any trial or trials which shall be had thereupon, and that the matter or thing for which such action or actions, suit or suits, shall be so brought was done in pursuance and by the authority of this act: and if the said matter or thing shall appear to have been so done, or if it shall appear that such action or suit was brought before twenty one clear days notice given as aforesaid, or that sufficient satisfaction was made or tendered as aforesaid, or if any such action or suit shall not be commenced within the time before for that purpose limited, or shall be laid in any other county or place than as aforesaid; then the jury or juries shall find for the defendant or defendants therein: and if the plaintiff or plaintiffs in such action or actions, suit or suits, shall become non-suited, or suffer a discontinuance of such action or actions, or if judgement shall be given for the defendant or defendants therein; then, and in either of the cases aforesaid, such defendant or defendants shall have treble costs, and shall have such remedy for recovering the same, as any defendant or defendants may have for his, her, or their costs, in any other cases by law.

XCVIII. And it is hereby further enacted and declared, That immediately after the several authorities, powers, and provisions, herein before given or granted, established, declared, and provided, shall commence and take effect respectively, for the purposes of paying, cleansing, and enlightening, the said city, and the liberties thereof, and the other purposes of this act, according to the tenor and true meaning thereof, the said act made in the sixth year of his present Majesty's reign, for the better paying, cleansing, and enlightening, the city of *London*, and the liberties thereof, and for preventing obstructions and annoyances within the same, and for other purposes therein mentioned, except as aforesaid, shall be, and the same is hereby repealed and made void.

XCIX. Provided always, and it is hereby declared and enacted, That nothing herein contained shall extend, or be construed to extend, to make void the appointment of any officers already appointed by virtue of the said act hereby repealed; or to make void any other proceeding already had or commenced by virtue of, and under the authority of the said act; or to prevent the completing of any such proceedings; but that the said commissioners constituted by this act shall and may carry into execution, and compleat all such proceedings commenced under the said act hereby repealed, in the like manner as if the same had been commenced under and by virtue of this act.

C. Provided also, and it is hereby enacted and declared, That nothing in this act contained shall extend, or be construed to extend, to revive so much of the said act made in the twenty second and twenty third years of the reign of the late King *Charles the Second*, or of an act made in the second year of the reign of their late majesties King *William* and Queen *Mary*, as

relates to the paving and cleansing the streets in the said city of London, and to the preventing of nuisances and obstructions within the same; or so much of an act made in the tenth year of the reign of his late majesty King George the Second, as relates to the paving the said streets; or to revive the said act made in the seventeenth year of the reign of his late majesty King George the Second, or any of the powers, provisions, clauses, and matters, therein respectively contained; or to revive so much of an act made in the thirty third year of the reign of his said late majesty King George the Second, as relates to the repairing and relaying such pavement in the said city as shall be damaged by the breaking up of the same to amend and relay any water pipes; but the same shall remain, and they are hereby declared to be respectively repealed and made void.

Publick act. Cⁱ. And it is hereby further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be, a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever, without specially pleading the same.

C A P. XXII.

An act for the more easy and effectual recovery of the penalties and forfeitures inflicted by the acts of parliament relating to the trade or revenues of the British colonies and plantations in America.

Preamble, reciting clauses in act 4 Geo. 3. **W**HEREAS by an act made in the fourth year of his present Majesty's reign, intituled, An act for granting certain duties in the British colonies and plantations in America; for continuing, amending, and making perpetual, an act passed in the sixth year of the reign of his late majesty King George the Second, intituled, *An act for the better securing and encouraging the trade of his Majesty's sugar colonies in America*; for applying the produce of such duties, and of the duties to arise by virtue of the said act, towards defraying the expences of defending, protecting, and securing, the said colonies and plantations; for explaining an act made in the twenty fifth year of the reign of King Charles the Second, intituled, *An act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade*; and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and Great Britain; it was enacted and declared, That all the forfeitures and penalties inflicted by that or any other act or acts of parliament, relating to the trade and revenues of the British colonies or plantations in America, which should be incurred there, should and might be prosecuted, sued for, and recovered, in any court of record, or in any court of admiralty, in the said colonies or plantations where such offence should be committed, or in any court of vice-admiralty which might or should be appointed over all America; which court

of

of admiralty, or vice-admiralty, were thereby respectively authorized and required to proceed, hear, and determine the same, at the election of the informer or prosecutor: and whereas prosecutions and suits for recovery of forfeitures and penalties, inflicted by any act or acts of parliament relating to the trade or revenues of the said colonies or plantations, in one court only of vice-admiralty over all America, may, in many cases, by reason of the distance of the places where the cause of such suits and prosecutions shall arise from the place where such court is or shall be established, be attended with great inconvenience; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of September, one thousand seven hundred and sixty eight, all forfeitures and penalties inflicted by any act or acts of parliament relating to the trade or revenues of the British colonies or plantations in America, may be prosecuted, sued for, and recovered, in any court of vice-admiralty appointed, or to be appointed, and which shall have jurisdiction within the colony, plantation, or place, where the cause of such prosecution or suit shall have arisen.

After 1 Sept. 1768, the penalties and forfeitures relating to the trade or revenues of the British colonies or plantations in America, may be sued for and recovered in any court of vice admiralty within the colony; and persons aggrieved by the determination of such court, may appeal.

II. And be it further enacted by the authority aforesaid, That in all cases where any prosecution or suit shall be commenced and determined for any penalty or forfeiture inflicted by any such act or acts of parliament, in any court of admiralty in the respective colony or plantation where the offence shall be committed, either party who shall think himself aggrieved by such determination may appeal from such determination, to any court of vice-admiralty appointed, or to be appointed, and which shall have jurisdiction within such colony, plantation, or place; which court of vice-admiralty is hereby authorized and required to proceed, hear, and determine, all such suits, prosecutions, and appeals; any law, custom, or usage, to the contrary notwithstanding.

C A P. XXIII.

An act to repeal so much of an act made in the fourth year of his present Majesty, as affects the islands of Guernsey and Jersey, with respect to the leakage of wines imported into this kingdom from the said islands under certain restrictions and regulations; and for continuing an act made in the thirty third year of his late Majesty, for the better encouragement of the making of sail cloth in Great Britain.

WHEREAS by a clause in an act of parliament made in the fourth year of the reign of his present Majesty, intituled, An act for granting to his Majesty a certain sum of money out of the sinking fund, for the service of the year one thousand seven hundred and sixty four; and for preventing, in certain cases,

Preamble, reciting clause in act 4 Geo. 3

the obtaining of allowances in respect of the leakage of wines imported into this kingdom; and for making forth duplicates of exchequer bills, tickets, receipts, annuity orders, and other orders, lost, burnt, or otherwise destroyed; it is enacted, That from and after the first day of May, one thousand seven hundred and sixty four, no merchant shall be allowed twelve per centum, or have any allowance for leakage upon any wine imported into this kingdom, unless such wine be imported directly from the country or place of the growth of the said wine, or the usual port or place of it's first shipping (except as therein excepted:) And whereas it hath been found that great loss and detriment hath accrued to the inhabitants of the islands of Guernsey and Jersey, by reason of such restriction; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of March, one thousand seven hundred and sixty eight, the said clause, so far as the same affects the islands of *Guernsey* and *Jersey*, with regard to the allowance on leakage of wines imported from the said islands into this kingdom, shall be repealed.

From and after 25 May, 1768, the recited clause, so far as it affects the islands of Guernsey and Jersey, with regard to the leakage of wines, repealed;

provided a proper certificate on oath, conformable to the regulations here mentioned, be produced before the proper officer at the port of importation in Great Britain.

II. Provided always, and it is hereby declared and enacted by the authority aforesaid, That no person or persons shall be entitled to any allowance on wines imported into this kingdom from the said islands, unless certificate, on oath, made before the magistrates of the royal courts, or any three of them, shall be produced before the collector, or other proper officer of the customs at the port where such wines shall be landed in *Great Britain*, which oath is to be taken by the shipper of the wines at the islands aforesaid, or either of them, certifying the name of the vessel in which such wines are shipped, the name of the master or commander thereof, and the number and quality of casks so shipped, with the marks thereon, and that such wines have received no mixture since their landing at the said islands, or either of them, except such mixture only as is usual and necessary for clearing and forcing such wines, and that such wines have been imported into the said islands, or one of them, in *British* bottoms only, unless in time of actual war; and the said wines are, at the time of shipping at the islands aforesaid, or either of them, the property of *British* subjects only.

Where wines shall be imported into the said islands from countries where British consuls are resident, certificates are to be had from them, and produced at the courts

III. Provided always, and be it further enacted, That no wines from such countries where *British* consuls reside, shall be entitled to any allowance for leakage on wines imported into this kingdom from either of the said islands, unless a certificate, under the hand and seal of the *British* consul residing in the country where such wines shall be first shipped, shall have been produced at the time of the importation into the said islands, or either of them, before the royal courts there, and shall have been registered in the same, testifying that such wines were shipped for the said islands, or one of them, in *British* bottoms, unless in time of actual war, and that the same are the property of *British*

1768

tish subjects only, specifying the name of the vessel in which such wines were shipped, and the name of the master or commander thereof, and also the quantity of such wines; which certificate, indorsed by the magistrates of the royal courts, or any three of them, shall be transmitted to the collector, or other proper officer of the customs, at the port where such wines shall be landed in this kingdom.

in the said islands, in order to intitle them to the allowance for leakage, &c.

IV. Provided always, That in case such wines shall be imported from the said islands, or either of them, into this kingdom, in different parcels, the said certificate shall accompany the first parcel of such wines so imported; and with regard to the remainder of such quantities to be imported in any subsequent parcel or parcels, the same shall be certified by the shipper of such wines, upon oath made before the royal court of the island from whence such wines shall be imported, testifying the same to be part of the wine contained in the said certificate from the *British* consul, and declaring what quantities and parcels of the same have been shipped, in what vessels, and to what ports, with the quantity the said different parcels so shipped amount to.

If such wines be imported in different parcels, the said certificate is to accompany the first parcel; and the remainder to be certified by the shipper.

V. And be it further enacted by the authority aforesaid, That an act made in the thirty third year of the reign of his late Majesty King George the Second, intituled, *An act to continue an act made in the twelfth year of the reign of her late majesty Queen Anne, intituled, An act for the better encouragement of the making of sail cloth in Great Britain*, which was to continue in force until the twenty ninth day of September, one thousand seven hundred and sixty seven, and from thence to the end of the then next session of parliament, shall be, and the same is hereby further continued, from the expiration thereof, to the twenty ninth day of September, one thousand seven hundred and seventy four, and from thence to the end of the then next session of parliament.

Act 33 Geo. 2.

further continued to 29 Sept. 1774.

CAP. XXIV.

An act to permit the exportation of certain quantities of malt belonging to certain merchants in the county of Norfolk, and which were made for exportation between the fifteenth of November, one thousand seven hundred and sixty six, and the passing the act of the last session for prohibiting the exportation of malt.

Preamble, reciting clauses in act 6 Geo. 3. and 7 Geo. 3. and 8 Geo. 3. Merchants of Wells impowered to export to Holland 1100 quarters of long malt now lying in the King's storehouses, on or before 1 June, 1768, which was declared and entered for exportation on or before 16 Dec. 1766; the exporters giving security; and the proprietors are thereupon discharged from all penalties in respect thereof.

CAP. XXV.

An act for reducing the duties on foul salt to be used for manure; for altering the stamp duties on certain policies of assurance; for amending so much of an act made in the thirty third year of the reign of his late majesty King George the Second, as relates to the allowance of the duties of customs, and exempting from the duties of excise such

rum

rum or spirits of the growth, produce, or manufacture, of the British sugar plantations in America, as shall be exported from this kingdom; for better securing the excise duties upon foreign liquors imported; for repealing a clause in an act made in the last session of parliament, prohibiting the sale of condemned tea for home consumption; for amending such parts of two acts made in the sixth and seventh years of the reign of his present Majesty, as relate to the depositing, in the warehouses belonging to the custom-house at London, foreign wrought silks and velvets, and cambricks, and French lawns, upon the seizure thereof.

Preamble.

WHEREAS all white salt, the product or manufacture of the kingdom of England, dominion of Wales, or town of Berwick upon Tweed, is, by several acts of parliament, charged and chargeable with the payment of three shillings and four pence a bushel duty, at the rate of fifty six pounds weight to the bushel, and no more, to be paid, or secured to be paid, by the makers or proprietors thereof, before the same can be removed from the salt works where the same is made: And whereas, in the manufacturing such white salt, considerable quantities of foul salt, called by the several names of grey or scrow salt, salt scale, sand scale, or crustings, are necessarily produced, which cannot be applied to the curing of provisions, nor can the same be removed from the said salt works, as the laws now stand, without the payment of the said duty of three shillings and four pence a bushel, which is considerably more than the value thereof; and it is apprehended that the said foul salt may be a useful manure and very beneficial in agriculture, in case the same were charged and chargeable with only a small duty; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of May, one thousand seven hundred and sixty eight, all grey or scrow salt, salt scale, sand scale, and crustings or other foul salt whatsoever, already produced, or hereafter to be produced, at any of the said salt works, shall be charged and chargeable with the payment of a duty of four pence a bushel only, at the rate of fifty six pounds weight to the bushel, to be paid in ready money, without any allowance for discount on prompt payment, or allowance for waste of salt carried coastwise, by the makers or proprietors thereof, before the same shall be removed from the salt works where the same has been, or hereafter shall be, produced or made; which said duty shall be under the care and direction of the commissioners for the receipt, management, and government, of the duties on salt, appointed or to be appointed by his Majesty, and of the officers for the said duties on salt for the time being, in the same manner as the duties on salt now are managed, levied, collected, or received;

From 1 May, 1768, all foul salt at the salt works are chargeable with a duty of 4 d. per bushel only.

Duty to be under the commissioners and officers for the salt duties, &c.

ed; and shall be paid and applied in such manner as the duties now payable on such foul salt are paid and applied.

II. And be it further enacted by the authority aforesaid, That from and after the said first day of *May*, one thousand seven hundred and sixty eight, no such foul salt shall be delivered by the maker or proprietor from any salt work or works without notice first given to the officer appointed for that purpose; nor shall any carrier, or other person or persons whatsoever, remove, carry, or convey, any such foul salt without due entry of the same, and payment of the duties hereby imposed thereon, or without a warrant or permit for carrying the same, under such pains and penalties as are mentioned and contained in the acts of parliament relating to salt, or any of them; to be levied, recovered, and distributed, by such ways and means, and in such manner and form, as the duties on salt were thereby appointed to be levied, recovered, and distributed.

Notice to be given to the proper officer before delivery of any such salt;

and entry to be made thereof, and payment of the duties, and a permit obtained, &c.

III. And be it further enacted by the authority aforesaid, That if any person or persons shall, after such foul salt has been removed from any salt work or works, use, employ, or consume, the same for any other purposes whatsoever than for the manuring of land as aforesaid; he, she, or they, for every offence, shall forfeit and pay the sum of sixty pounds; one third part thereof to his Majesty, his heirs and successors; and the remainder thereof to such person or persons who shall inform or sue for the same; which said last-mentioned penalty and forfeiture shall be recovered and levied in such manner and form, and with such power of mitigation, as any fine, forfeiture, or penalty, is or may be recovered by any law or laws of excise, or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*; wherein no essoin, protection, or privilege, wager of law, or more than one imparlance, shall be allowed.

601. penalty on employing the said salt to any other purpose but that of manure.

IV. And whereas by an act made in the last session of parliament, intituled, An act for altering the stamp duties upon policies of assurance; and for reducing the allowance to be made in respect of the prompt payment of the stamp duties on licences for retailing beer, ale, and other exciseable liquors; and for explaining and amending several acts of parliament, relating to hackney coaches, and chairs, after reciting that by an act made in the fifth year of his present Majesty's reign, intituled, An act for altering the stamp duties upon admissions into corporations or companies, and for further securing and improving the stamp duties in Great Britain; it was, among other things, enacted, That from and after the fifth day of July, one thousand seven hundred and sixty five, if the properties of more than one person in any ship, cargo, or both, or of more than a particular number of persons in general partnership, or of more than one body politic or corporate, to a greater amount in the whole than the sum of one hundred pounds, in any ship, cargo, or both, be assured on the same policy, such policy should be void, and the premium paid thereon remain the property of the assurer; with a proviso that it should and might be lawful to assure, or cause

Recital of clauses in act 7 Geo. 3. for altering the stamp duties upon policies of assurance.

to be assured, the properties of any number of persons whatsoever, in any ship, cargo, or both, by one policy stamped with five stamps of five shillings each; any thing therein contained to the contrary notwithstanding; and after reciting that such part of the said act as before recited, had been found very inconvenient to merchants, traders, and others, residing out of the kingdom, and injurious to the commercial dealings thereof; it was enacted (among other things) That from and after the first day of August, one thousand seven hundred and sixty seven, it should and might be lawful to assure, or cause to be assured, the properties of any number of persons whatsoever, in any ship, cargo, or both, to the amount of any sum, not exceeding in the whole the sum of one thousand pounds, by a policy stamped with a stamp of five shillings; and that it should and might be lawful to assure, or cause to be assured, the properties of any number of persons whatsoever, in any ship, cargo, or both, to the amount of any sum whatsoever, by one policy stamped with two stamps of five shillings each; and that every policy so stamped, should be good, valid, and effectual, to all intents and purposes whatsoever; any thing in the said recited act of the fifth year of his present majesty's reign, or any former act to the contrary notwithstanding; with a proviso, that if any risque or adventure, distinct from the risque or adventure mentioned in the original policy, and upon which any further premium should be given, should be, by any writing or declaration not duly stamped, added to any such original policy, such additional assurance should be void, and the premium paid thereon should remain the property of the assurer, and it was thereby further enacted, That if any person or persons should be sued or prosecuted under and by virtue of the said act, for the assuring the properties of any number of persons whatsoever in any ship, cargo, or both, to a greater amount than the sum of one thousand pounds, by a policy stamped with a stamp of five shillings only; then, and in such case, the proof as to the amount or value so assured should lie on the person or persons that should be so sued or prosecuted, and not on the person or persons who should sue or prosecute: And whereas a doubt has arisen, whether the property of a single person, to any amount, required more than a stamp of five shillings: therefore, be it enacted by the authority aforesaid, That from and after the first day of May, one thousand seven hundred and sixty eight, all policies of assurance by which the property of one person, or of a particular number of persons, in one general partnership, or of one body politic or corporate, in any ship, or cargo, or both, shall be assured to the amount of more than one thousand pounds, shall be stamped with two five shilling stamps; and that every such policy, which shall not be so stamped, shall be void, and the premium paid thereon shall remain the property of the assurer.

From 1 May, 1768, all policies, whereby property to the amount of more than 1000l. is assured, are to have two 5s. stamps, &c.

Persons sued for assuring more than 1000l. property, by a policy with a 5s. stamps only,

are to prove the amount

V. And be it further declared and enacted by the authority aforesaid, That if any person or persons shall be sued or prosecuted under and by virtue of this act, for assuring the property of one person, or of a particular number of persons in one general partnership, or of one body politic or corporate, in any ship, or cargo, or both, to a greater amount than the sum of one thousand pounds, by a policy stamped with a stamp of five shillings only; then, and in such case, the proof as to the amount or value so assured

assured shall lie on the person or persons that shall be so sued or or value so
prosecuted, and not on the person or persons who shall sue or assured.
prosecute.

VI. Provided always, That if any risque or adventure distinct And any additional assurance to the original policy, where the risque is distinct therefrom, and a further premium is given, is to be duly stamped also.

VII. And whereas by an act made in the thirty third year of the reign of his late majesty King George the Second, intituled, An act for encouraging the exportation of rum and spirits of the growth, produce, and manufacture, of the British sugar plantations from this kingdom; and of British spirits made from melasses; it is, (amongst other things) enacted, That upon the exportation of rum or spirits of the growth, produce, and manufacture, of the British sugar plantations in America, from this kingdom as merchandize, there shall be an allowance of all the duties of custom payable upon the importation of such rums or spirits, and that the same shall be freed and discharged from all duties of excise in such manner as therein is directed; but by the said act, it is further enacted and required, That all such rum or spirits so to be exported shall be proof spirits, and that the same shall be certified by the proper officers to be proof spirits, before the bonds given for securing and paying the duties of excise upon the importation of such rum or spirits can be delivered up: And whereas great part of the rum or spirits of the growth, produce, and manufacture, of the British sugar plantations, imported into this kingdom for exportation as merchandize, are not proof spirits; and by reason thereof, and by the said restriction in the before recited act, the proprietor of the said rum or spirits cannot, upon the exportation thereof, obtain the drawback of the customs, or be freed or discharged from the said duties of excise whereby the good end proposed by the said recited act will be in great measure, if not totally, frustrated; be it therefore enacted by the authority aforesaid, That from and after the twenty fifth day of March, one thousand seven hundred and sixty eight, so much of the said recited act as requires such rum or spirits so to be exported to be proof spirits, and to be certified so to be, shall be, and is hereby repealed and made null and void; and that from thenceforth, upon exportation of rum or spirits of the growth, produce, and manufacture, of the British sugar plantations, from this kingdom as merchandize, under the rules, restrictions, and regulations, by the said recited act established and referred to (and not hereby repealed) there shall be an allowance or drawback of all the duties of customs payable upon the importation thereof, and such rum or spirits shall be freed and discharged from all duties of excise, though the same shall not be proof spirits; any thing in the said recited act to the contrary notwithstanding.

VIII. And whereas by an act passed in the thirty first year of the reign of his majesty King George the Second, intituled, An act for con-

Recital of clauses in act 3 Geo. 3. relating to the exportation of rum and spirits of the British sugar plantations.

From 25 March, 1768, so much of the recited act as requires such rum or spirits so to be exported, to be proof spirits, and to be certified as such, is repealed; and upon the exportation a drawback is to be allowed of all the duties payable upon the importation thereof.

Recital of clauses in act

31 Geo. 3. relating to the entry, and payment of the duties on foreign exciseable liquors imported.

continuing certain laws therein mentioned relating to *British* sail cloth, and to the duties payable on foreign sail cloth; and to the allowance upon the exportation of *British* made gunpowder; and to the encouragement of the trade of the sugar colonies in *America*; and to the landing of rum or spirits of the *British* sugar plantations before the duties of excise are paid thereon; and for regulating the payment of the duties on foreign exciseable liquors; and for the relief of *Thomas Wharton*, with regard to the drawback on certain *East India* callicoos; and for rendering more commodious the new passage leading from *Charing Cross*; it was enacted, amongst other things, That from and after the fifth day of July, one thousand seven hundred and fifty eight, the proprietor or proprietors, importer or importers, of any kind of foreign liquors liable to the duties of excise, within thirty days next after the master or purser for that voyage of the ship or vessel wherein the said foreign exciseable liquors, or any of them, shall be imported or brought into the kingdom of Great Britain, shall have or ought to have made a just and true entry or report, upon oath, of the burthen, contents, and loading, of such ship or vessel, in pursuance of the direction of the statute made in the thirteenth and fourteenth years of the reign of King Charles the second, intituled, An act for preventing frauds, and regulating abuses in his Majesty's customs, shall make due entry with the officer or collector appointed for the excise, in the port or place where such foreign exciseable liquors shall be imported, of all such foreign exciseable liquors on board such ship or vessel belonging to such proprietor or proprietors, importer or importers; and shall then, or before, satisfy and pay the duties of excise due and payable for and in respect of the said foreign exciseable liquors, and land the same, on pain to forfeit for every neglect or refusal to make due entry or payment, or to land the same, according to the directions of this act, all such foreign exciseable liquors, with the casks and package wherein the same shall be contained on board such ship or vessel belonging to such proprietor or proprietors, importer or importers, of the same, so neglecting or refusing, which shall and may be seized by any officer or officers of the excise; and that all seizures to be made in pursuance of the said act shall be applied, (the necessary charges for the recovery thereof being first deducted) one moiety to and for the use of his Majesty, his heirs, and successors; and the other moiety to the seizer or prosecutor: And whereas since the passing of the said act, it frequently happens that foreign liquors liable to the duties of excise are imported into this kingdom, and duly reported, but the proprietor or proprietors, importer or importers, or the persons to whom consigned, under pretence that the said foreign liquors are much under proof, or for other pretences, neglect or refuse to make due entry or payment, or to land the same, according to the directions of the said act, and the same become forfeited: And whereas the said foreign liquors when condemned are sold duty-free, whereby the value of the moiety of the said forfeiture, which by the said act is given to his Majesty, his heirs, and successors, is much less than the duty that would have arisen had the same foreign liquors been duly landed as they ought to have been; whereby many persons are tempted to commit great frauds and abuses to the prejudice of his

his Majesty's revenue, and of the fair traders: for remedy thereof, be it enacted by the authority aforesaid, That from and after the twenty fifth day of March, one thousand seven hundred and sixty eight, the respective commissioners of excise in England and Scotland shall, after condemnation, cause all such foreign liquors, liable to the duties of excise; which shall be seized for neglect or refusal to make due entry or payment, or landing the same, within the thirty days, according to the directions of the said act, to be publickly sold to the best bidder, at such places as the said respective commissioners shall think proper, for and towards satisfying the duties chargeable on imported foreign liquors liable to the duties of excise; and the overplus (if any be) to be applied to and for the benefit of the officer seizing the same: and in case the said foreign liquors, so to be sold as aforesaid, shall not be of value sufficient to satisfy, or shall barely satisfy, the whole of the said duties of excise; then, and in such cases, the officer making such seizure shall be rewarded in such manner as the said respective commissioners shall think proper, such reward not exceeding two shillings per gallon, to be in lieu of all other allowances; any law, statute, or provision, to the contrary thereof in any wise notwithstanding.

IX. *And whereas by an act made in the last session of parliament, intituled, An act for taking off the inland duty of one shilling per pound weight upon all black and singlo teas consumed in Great Britain; and for granting a drawback upon the exportation of teas to Ireland, and the British dominions in America, for a limited time, upon such indemnification to be made in respect thereof by the East India company, as is therein mentioned; for permitting the exportation of teas in smaller quantities than one lot to Ireland, or the said dominions in America; and for preventing teas seized and condemned from being consumed in Great Britain; it is, amongst other things, enacted, That all teas which shall be seized and condemned for being illegally imported, or for any other cause shall not be sold for consumption within this kingdom, but shall be exported to Ireland, or to the British colonies in America, under certain restrictions, in the said act mentioned: And whereas the consumption of such teas in this kingdom will greatly reduce the price and value thereof, and thereby discourage the officers of the customs and excise from making seizures of such tea, and prosecuting the same to condemnation, which will promote the illicit importation and smuggling of tea into this kingdom, and be very prejudicial to the public revenue and the fair trader: be it therefore enacted by the authority aforesaid, That from and after the passing of this act, such part of the said recited act as prohibits the selling for consumption within this kingdom such seized and condemned teas, shall be, and the same is hereby declared to be, repealed.*

X. *And whereas by an act of parliament made in the sixth year of the reign of his present Majesty, intituled, An act to prohibit the importation of foreign wrought silks and velvets, for a limited time; and for preventing unlawful combinations of workmen employed in the silk manufacture; it is, amongst other things, enacted,*

From 25 March, 1768, all foreign liquors liable to the duties of excise, and seized for not making due entry thereof, &c. are, after condemnation, to be publickly sold towards satisfying the duties; and the overplus to go to the officer seizing the same: But where the produce shall be no more, or less, than the duties, then the officer is to be otherwise rewarded.

Recital of clause in an act of the last session, relating to the exportation of condemned teas.

Such part of the recited act, as prohibits the selling such seized and condemned teas, for home consumption, is repealed.

Recital of clauses in act 6 Geo. 3.

and 7 Geo. 3.
relating to the
sending up to
London all
seized foreign
wrought
silks or cam-
bricks, &c.

All such
goods are,
from and af-
ter 25 March,
1768, to re-
main in the
custom-house
ware-houses
where deposit-
ed;

and such as
shall be seized
after the said
day, are to be
carried to the
next custom-
house, and re-
main there till
condemned;
unless the
commission-
ers shall direct
otherwise:
but after con-
demnation,
they are to be
and there fold

enacted, That forthwith after the seizure of any such foreign wrought silks or velvet, or other works made thereof, or as soon after as conveniently may be, the same shall be sent to, and deposited in, one of the King's warehouses belonging to the custom-house at London: And whereas by another act made in the last session of parliament, intituled, An act to amend and enforce the acts of the eighteenth, twenty first, and thirty second years of the reign of his late majesty King George the second, for the more effectual preventing the fraudulent importation and wearing of cambricks and French lawns; it is, amongst other things, enacted, That forthwith after the seizure of any such cambricks or French lawns, or as soon after as conveniently may be, the same shall be sent to, and deposited in, one of the King's warehouses belonging to the custom-house at London: And whereas the sending all such goods to London, immediately after seizure, when seized at an out-port of this kingdom, is attended with great inconvenience to the officers making such seizures, as well as to the owners and proprietors of such goods, who live at remote distances from London; for remedy whereof, be it enacted by the authority aforesaid, That from and after the twenty fifth day of March, one thousand seven hundred and sixty eight, all such wrought silks and velvets, and other works made thereof, and all cambricks and French lawns, which have been seized in Great Britain, for any cause of forfeiture, shall and may remain in any custom-house warehouse where they are or were deposited; and all such as shall be seized after the said twenty fifth day of March, shall be carried to, and deposited in, the next custom-house, and shall remain there until the same shall be legally condemned, unless the commissioners of the customs for England or Scotland respectively shall judge it necessary and expedient to direct such goods to be removed sooner from thence: and after such goods shall be condemned in due course of law, it shall and may be lawful for the said respective commissioners to cause such goods to be marked or stamped in such manner as they shall think proper, and brought to any of the King's warehouses belonging to the custom-houses at London or Edinburgh respectively, to be there fold for exportation in the manner directed by the said acts of parliament herein before recited respectively relating thereto; any thing therein contained to the contrary notwithstanding.

marked, and brought to the King's warehouses at London or Edinburgh, for exportation.

General issue.

XI. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants in any such action or suit, may plead the general issue, and give this act, and the special matter, in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants: and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared; or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall

shall recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases by law.

C A P. XXVI.

An act to enable his Majesty to make leases, copies, and grants of offices, lands, and hereditaments, parcel of the duchy of Cornwall, or annexed to the same, and for other purposes therein mentioned.

WHEREAS his royal highness George prince of Wales now stands seised of the duchy of Cornwall, and the possessions thereof: and whereas it is necessary to enable his Majesty to grant offices, and to make leases and grants, by copy of court roll, of lands and hereditaments, parcel of the said duchy, or thereunto annexed or belonging, during the minority of his royal highness; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all leases and grants made, or to be made, by letters patent or indentures, under the seal of Great Britain, or seal of the court of exchequer, or by copy of court roll according to the custom of the respective manors, within seven years next ensuing, of any offices, messuages, parks, lands, tenements, or hereditaments (other than honors, lordships, or manors) parcel of the possessions of the said duchy of Cornwall, or annexed to the same, shall be good and effectual in law, according to the purport and contents of the same copies, leases, and grants, against our sovereign lord the King, his heirs, and successors, his royal highness George prince of Wales, and against all and every other person or persons who shall, at any time hereafter, have, inherit, or enjoy, the said duchy, by force of any act of parliament, or by other limitation whatsoever.

Leafes, and grants of offices, lands, and hereditaments, according to the custom of the respective manors, within 7 years next ensuing, being parcel of the duchy of Cornwall, &c. are declared to be good and valid.

II. Provided always, That every such lease or grant so made, or to be made, be not for more than one, two, or three lives, or for one and thirty years, or under, or for some term of years determinable upon one, two, or three lives, and not above; and if such leases or grants be made in reversion or expectancy, that then the same, together with the estates in possession, do not exceed three lives, or the term of one and thirty years, or some term of years determinable upon one, two, or three lives, and be not in any wise made dispunishable of waste; and so as, upon every such lease or grant, there be, or shall be, reserved the ancient or most usual rent or more, or such rent as hath been reserved, yielded, or paid, for the same lands or hereditaments, for the greater part of twenty years next before the making of the said leases or grants; and where no such rent hath been reserved or payable, that then, upon every such lease, there be, or shall be, reserved a reasonable rent, not being under the twentieth part of the clear yearly value of the messuages, parks, lands, tithes, tenements, or hereditaments, contained

Restrictions are limited.

Conditions with respect to the said leases or grants.

tained in such lease or grant; and all leases and grants otherwise made, or to be made, shall be null and void.

All covenants, conditions, and reservations, &c. contained in every such lease or grant, &c. declared as good and valid,

as if the King were seised of the fee-simple.

General reservation of rights.

III. And be it further ordained and enacted by the authority aforesaid, That all covenants, conditions, reservations, and other agreements, contained in every lease, grant, or copy of court roll, made or to be made as aforesaid, shall be good and effectual in law, according to the words and contents of the same, as well for and against them to whom the reversions of the same lands, tenements, and hereditaments, shall come, as for and against them to whom the interest of the said leases, grants, or copies shall come respectively, as if our sovereign lord the King's majesty, at the time of making such covenants, conditions, and reservations, and other agreements, were seised of an absolute estate in fee-simple in the same lands, tenements, or hereditaments.

IV. Saving always to all and every person and persons, bodies politic and corporate, their heirs and successors, executors, administrators, and assigns, other than to our said sovereign lord the King, and his heirs, and successors, and the duke and dukes of *Cornwall* for the time being, and his and their heirs, and all and every other person and persons that shall hereafter have, inherit, or enjoy, the said dukedom of *Cornwall*, by force of any act of parliament, or other limitation whatsoever; all such rights, titles, estates, customs, interests, tenures, claims, and demands whatsoever, of what nature, kind, or quality soever; of, in, to, or out of, the said offices, lands, tenements, or hereditaments, or any of them, as they, or any of them, had or ought to have had before the making of this act, to all intents and purposes, and in as large and ample manner and form as if this act had never been had or made; this act, or any thing herein contained, to the contrary notwithstanding.

C A P. XXVII.

An act for the further continuing several acts of parliament made for the encouragement of the whale fishery carried on by his Majesty's subjects.

Preamble.

WHEREAS divers acts of parliament have been made for the encouragement of his Majesty's subjects to carry on and improve the whale fishery, which, by the bounties given by the said acts, did greatly increase, to the advantage of the trade and navigation of these kingdoms: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the fifth year of the reign of his late majesty King George the Second, intituled, *An act for encouraging the Greenland fishery*, which was to continue in force for nine years, from the twenty fifth day of *December*, one thousand seven hundred and thirty one; and which act, by an act of parliament made in the thirteenth year of his said late Majesty's reign, intituled, *An act*

Act 5 Geo. 2. which was continued by the several subsequent acts of

13 Geo. 2.

for

for continuing the several laws therein mentioned, relating to the premiums upon the importation of masts, yards, and bowsprits, tar, pitch, and turpentine; to British made sail cloth, and the duties payable on foreign sail cloth; to the Greenland, and to the whale fishery; for granting a further bounty for all ships employed in the whale fishery during the present war; for exempting harpooners and others employed in the Greenland fishery trade from being impressed; and for giving further time for the payment of duties omitted to be paid for the indentures and contracts of clerks and apprentices, was continued unto the twenty fifth day of December, one thousand seven hundred and fifty, and from thence to the end of the then next session of parliament; and which act, by an act of parliament made in the twenty second year of his said late Majesty's ^{21 Geo. 2.} reign, intituled, *An act for the further encouragement and enlargement of the whale fishery, and for continuing such laws as are therein mentioned relating thereto; and for the naturalization of such foreign protestants as shall serve, for the time therein mentioned, on board such ships as shall be fitted out for the said fishery*, was further continued unto the twenty fifth day of December, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament; and which act, by an act of parliament made in the twenty eighth year of his said late ^{28 Geo. 2.} Majesty's reign, intituled, *An act for continuing, explaining, and amending, the several acts of parliament made for the further encouragement of the whale fishery carried on by his Majesty's subjects; and to authorize the payment of the bounty to Thomas Hood and others, upon three ships fitted out for the said fishery, and lost in the Greenland seas*, was further continued unto the twenty fifth day of December, one thousand seven hundred and sixty four, and from thence to the end of the then next session of parliament; and which said several acts, by an act made in the fourth year ^{and 4 Geo. 3.} of the reign of his present Majesty, intituled, *An act for continuing several acts of parliament made for the encouragement of the whale fishery carried on by his Majesty's subjects*, were further continued unto the twenty fifth day of December, one thousand seven hundred and sixty seven, and from thence to the end of the then next session of parliament; shall be, and the same are hereby further continued from the time in the said last-mentioned act limited, from the expiration thereof, unto the twenty fifth day of December, one thousand seven hundred and seventy, ^{is further continued to} and from thence to the end of the then next session of parliament. ^{25 Dec. 1770.}

II. And be it further enacted by the authority aforesaid, ^{The act of} That an act made in the sixth year of the reign of his said late ^{6 Geo. 2.} Majesty, intituled, *An act for the further encouragement of the whale fishery carried on by his Majesty's subjects*, which was to be in force during the continuance of the act of the fifth year of his said late Majesty's reign, intituled, *An act for encouraging the Greenland fishery*, and which was, by the said act of the thirteenth year of his said late Majesty's reign, continued unto the said twenty fifth day of December, one thousand seven hundred

and fifty, and from thence to the end of the then next session of parliament; and which act was, by the said act of the twenty second year of his said Majesty's reign, continued unto the twenty fifth day of *December*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament; and which act was, by the said act of the twenty eighth year of his said late Majesty's reign, further continued unto the twenty fifth day of *December*, one thousand seven hundred and sixty four, and from thence to the end of the then next session of parliament; and which act was, by the said act of the fourth year of his present Majesty's reign, further continued unto the twenty fifth day of *December*, one thousand seven hundred and sixty seven, and from thence to the end of the then next session of parliament, shall be and the same is hereby further continued from the time in the said last-mentioned act limited for the expiration thereof, unto the twenty fifth day of *December*, one thousand seven hundred and seventy, and from thence to the end of the then next session of parliament.

is further continued to
25 Dec. 1770.

The act of
22 Geo. 2.
which was
continued by
several subsequent acts,

III. And be it further enacted by the authority aforesaid, That the said act of the twenty second year of his said Majesty's reign intituled, *An act for the further encouragement and enlargement of the whale fishery, and for continuing such laws as are therein mentioned relating thereto; and for the naturalization of such foreign protestants as shall serve, for the time therein mentioned, on board such ships as shall be fitted out for the said fishery*; which was to be in force from the twenty ninth day of *September*, one thousand seven hundred and forty nine, until the twenty fifth day of *December*, one thousand seven hundred and fifty seven, and from thence to the end of the then next session of parliament; and which was, by the said act of the twenty eighth year of his said late Majesty's reign, continued unto the twenty fifth day of *December*, one thousand seven hundred and sixty four, and from thence to the end of the then next session of parliament; and which act was, by the said act made in the fourth year of the reign of his present Majesty, further continued unto the twenty fifth day of *December*, one thousand seven hundred and sixty seven, and from thence to the end of the then next session of parliament; shall be, and the same is hereby, further continued, from the time in the said last-mentioned act limited for the expiration thereof, unto the twenty fifth day of *December*, one thousand seven hundred and seventy, and from thence to the end of the then next session of parliament.

is further continued to
25 Dec. 1770.

The act of
4 Geo. 3.

IV. And be it further enacted by the authority aforesaid, That the said act of the fourth year of his present Majesty's reign, intituled, *An act for continuing several acts of parliament made for the encouragement of the whale fishery carried on by his Majesty's subjects*; which was to be in force from the twenty fifth day of *December*, one thousand seven hundred and sixty four, until the twenty fifth day of *December*, one thousand seven hundred and sixty seven, and from thence to the end of the then

then next session of parliament; shall be, and the same is hereby, further continued, from the time in the said last-mentioned act limited for the expiration thereof, unto the twenty fifth day of December, one thousand seven hundred and seventy, and from thence to the end of the then next session of parliament.

is further continued to
25 Dec. 1770.

CAP. XXVIII.

An act for licensing a playhouse within the city of Norwich.

WHEREAS in and by an act of parliament made in the tenth year of the reign of his late majesty King George the Second, to explain and amend so much of an act of the twelfth year of the reign of Queen Ann, for punishing rogues, vagabonds, sturdy beggars, and vagrants, as relates to common players of interludes, it is provided, That no person or persons shall be authorized, by virtue of any letters patent from his Majesty, his heirs, successors, or predecessors, or by the licence of the lord chamberlain of his Majesty's household for the time being, to act, represent, or perform, for hire, gain, or reward, any interlude, tragedy, comedy, opera, play, farce, or other entertainment of the stage, or any part or parts therein, in any part of Great Britain, except in the city of Westminster, and within the liberties thereof, and in such places where his Majesty, his heirs, or successors, shall in their royal persons reside, and during such residence only: and whereas it may be proper to empower the lord chamberlain of his Majesty's household for the time being, to grant his licence to persons to represent and perform plays and other entertainments of the stage within the city of Norwich; may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the lord chamberlain of his Majesty's household for the time being, and he is hereby authorized and empowered to grant his licence or licences, from time to time, to any person or persons to represent or perform for hire, gain, or reward, within the said city of Norwich, any such tragedies, plays, operas, or other performances of the stage only, or any part or parts therein, as have already been or shall hereafter be licensed by the chamberlain of his Majesty's household, at such times and seasons only as shall be expressed in such licence; the said recited act of the tenth year of the reign of his late Majesty, or any thing therein contained, to the contrary in any wise notwithstanding.

Preamble,
reciting
clause in act
to Geo. 2.

Lord chamberlain im-
powered to
grant his li-
cence for the
performing
occasionally
such plays
within the city
of Norwich,
as have been,
or shall be,
duly licensed
by the cham-
berlain.

CAP. XXIX.

An act for redeeming the remainder of the joint stock of annuities established by an act made in the third year of his present Majesty's reign, intituled, An act for granting to his Majesty several additional duties upon wines imported into this kingdom, and certain duties upon all

G 3

cyder

cyder and perry; and for raising the sum of three millions five hundred thousand pounds, by way of annuities and lotteries, to be charged on the said duties.

Most gracious Sovereign,

Preamble,
reciting act
3 Geo. 3.

WHEREAS in pursuance of an act made in the third year of your Majesty's reign, intituled, An act for granting to his Majesty several additional duties upon wines imported into this kingdom, and certain duties upon all cyder and perry; and for raising the sum of three millions five hundred thousand pounds, by way of annuities and lotteries, to be charged on the said duties; the sum of three millions five hundred thousand pounds was raised for the public service; which sum was to be deemed one capital and joint stock, and to be attended with annuities after the rate of four pounds per centum redeemable by parliament: and whereas one fourth part of the said capital and joint stock was redeemed on the fifth day of January, one thousand seven hundred and sixty eight, in pursuance of an act made in the last session of parliament, whereby the said stock was reduced to the sum of two millions six hundred and twenty five thousand pounds: and whereas your Majesty's most dutiful and loyal subjects, the commons of Great Britain, in parliament assembled, have resolved, that one third part of the said capital stock which should remain after the said fifth day of January, one thousand seven hundred and sixty eight, be redeemed and paid off on the fifth day of July following; and that such part of the said capital stock as should remain after the said fifth day of July, be redeemed and paid off in manner following; that is to say, one half of such remaining part of the said capital stock, on the tenth day of October, one thousand seven hundred and sixty eight; and the other half, being the residue of such capital stock, on the fifth day of January, one thousand seven hundred and sixty nine; and several public notices have been given of the said resolutions, by the speaker of the house of commons, pursuant to the orders of that house: therefore, your faithful commons, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That such notices as aforesaid shall be, and be deemed, adjudged, and taken to be, good and sufficient notice and notices, within the true intent and meaning of the said act, for the redemptions, at the times aforesaid of such part of the said capital and joint stock as remained unredeemed after the said fifth day of January, one thousand seven hundred and sixty eight, and of the annuities attending thereon, and the same shall be redeemable and redeemed accordingly.

Notices given by the speaker, for redeeming the remainder of the joint stock of annuities, established by the recited act of 3 Geo. 3. as remained

unredeemed on 5 Jan. 1768, deemed good and sufficient.

The following sums to be issued to the bank, out of

II. And be it further enacted by the authority aforesaid, That out of all or any the aids or supplies granted in this session of parliament (except any particular aid or supply which hath been, or shall be in the same session specially and intirely appro-

appropriated to any one particular use or purpose) there shall be issued and paid to the governor and company of the bank of *England*, on or before the times herein after limited, the following respective sums of money for the purposes herein after mentioned; that is to say, on or before the fifth day of *July*, one thousand seven hundred and sixty eight, the sum of eight hundred and seventy five thousand pounds, for redeeming on that day one third part of the said sum of two millions six hundred and twenty five thousand pounds, being the remainder, after the said fifth day of *January*, one thousand seven hundred and sixty eight, of the said capital and joint stock; and on or before the tenth day of *October*, one thousand seven hundred and sixty eight, a like sum of eight hundred and seventy five thousand pounds, for redeeming on the said tenth day of *October*, one other third part of the said sum of two millions six hundred and twenty five thousand pounds; and on or before the fifth day of *January*, one thousand seven hundred and sixty nine, a like sum of eight hundred and seventy five thousand pounds, for redeeming on the said fifth day of *January*, the remaining part of the said capital and joint stock: which respective sums shall be applied by the said governor and company in payment of the said three sums of eight hundred and seventy five thousand pounds each, for the redemption, and in full satisfaction of the said respective parts of the said capital and joint stock, on or before the respective days herein before mentioned for redeeming and paying off the same.

III. And be it further enacted by the authority aforesaid, That on or before the said fifth day of *July*, one thousand seven hundred and sixty eight, the said tenth day of *October*, one thousand seven hundred and sixty eight, and the said fifth day of *January*, one thousand seven hundred and sixty nine respectively, there shall and may be issued and paid at the receipt of his Majesty's exchequer, to the governor and company of the bank of *England*, out of the surplusses, excesses, or overplus-monies, commonly called *The Sinking Fund*, such sums of money, as shall be necessary for the discharge of the annuities attending such part of the said capital and joint stock, as shall be redeemed on each of the said days, to every such day respectively inclusive; which sums shall be applied by the said governor and company in payment of such annuities accordingly, at the same time that the respective parts of the said capital and joint stock so to be redeemed, shall be discharged and satisfied; and that such annuities, in respect of each part of the said capital and joint stock, shall cease, determine, and be extinguished, from the time of the redemption thereof respectively; and that the payment of all the annuities which shall become due on the tenth day of *October*, one thousand seven hundred and sixty eight, upon account of such part of the said capital and joint stock as shall remain, and shall not then be redeemed and paid off, shall, together with the charges of the management of all the said annuities, after the fifth day

the supplies granted this session; viz. on or before 5 July, 1768.

875,000l.

by 10 Oct. 875,000l.

by 5 Jan. 1769, 875,000l.

The money issued to be applied by the bank in payment of the said several sums.

Money to be issued at the exchequer out of the sinking fund, to the bank, for discharging the annuities attending such part of the said capital, as shall be redeemed, &c.

And the said annuities are to cease from the times of redeeming them.

Such as shall become due on 10 Oct. 1768, with the charges of management,

are to be paid out of the sinking fund, to the bank,

of *April*, one thousand seven hundred and sixty eight, be, and the same are hereby charged upon, and shall be payable and paid out of, the said fund commonly called *The Sinking Fund*, to the said governor and company of the bank of *England*, who shall apply the monies so issued, in payment of such part of the said annuities accordingly.

and the monies for these purposes are to be issued by an order of treasury, and paid over to the bank by way of imprest.

IV. And be it further enacted by the authority aforesaid, That all the monies which are by this act authorized or appointed to be paid out of the said fund commonly called *The Sinking Fund*, shall and may, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any farther or other warrant to be had in that behalf, be issued and paid at the receipt of his Majesty's exchequer, to the said governor and company, out of the said fund, by way of imprest and upon account, after paying, or reserving sufficient to pay, all such sums of money as have been charged thereon by any act or acts made in any former session of parliament; but in preference to any sum or sums directed to be paid thereout by any act of this session of parliament.

Annuities to be paid up to the days appointed for the particular redemption thereof.

V. Provided always, and be it further enacted by the authority aforesaid, That if all or any of the principal monies composing such respective parts of the said capital and joint stock, hereby intended to be redeemed on the said fifth day of *July*, one thousand seven hundred and sixty eight, the said tenth day of *October*, one thousand seven hundred and sixty eight, and the said fifth day of *January*, one thousand seven hundred and sixty nine, shall be paid and satisfied at the bank of *England*, before the respective day appointed for any such redemption; the said governor and company shall, in every such case, pay, and they are hereby empowered to pay, in respect of the principal monies so discharged, the full sum which the annuities attending the same would have amounted unto, on the day herein before mentioned for the redemption of such part respectively; any thing herein, or in any other act contained to the contrary notwithstanding.

No member of the bank to incur any disability in respect of this act.

VI. Provided also, and be it further enacted by the authority aforesaid, That the said governor and company, or any member thereof, shall not incur any disability for or by reason of his or their doing any matter or thing in pursuance of this act.

General issue.

VII. And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted, for any thing by him or them done or executed in pursuance of this act, or of any matter or thing therein contained such person or persons shall and may plead the general issue, and give the special matter in evidence for his and their defence; and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his or their action, or be nonsuited, or judgement shall be given against him or them upon demurrer, or otherwise; then, such defendant or defendants shall have treble costs to him or them awarded against such plaintiff or plaintiffs.

Treble costs.

CAP.

CAP. XXX.

An act for granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and sixty eight; and for further appropriating the supplies granted in this session of parliament.

Preamble. 2,150,000*l.* granted out of the sinking fund, for the service of the current year; to be issued by the treasury accordingly. Treasury empowered to raise the said sum, or any part thereof, by loans or exchequer bills, on the credit of the sinking fund; and to strike tallies of loan, with orders for re-payment of the money so advanced; the interest thereof to be paid quarterly. Orders to be registered in course. No undue preference to be given in payment, nor fee to be taken; on forfeiture of treble damages, with full costs. Penalty of undue preference in point of registry or payment; to be recovered in any of the courts of record at Westminster. No undue preference, which of the tallies or orders brought the same day, are entered first; nor if subsequent orders are paid before others not brought in course, so as money be reserved for the precedent orders. Power of assignment, and method of transferring of orders. If it shall be judged more advisable, the treasury may raise the said sum by exchequer bills, instead of loans. All advantages and penalties in the malt act of this session, relating to loans or exchequer bills thereby authorized to be made forth, extended to this act. The said exchequer bills, interest, and charges, are to be paid out of the sinking fund. Bank authorized to lend the said sum, notwithstanding act 5 & 6 Will. & Mary. 400,000*l.* payable into the exchequer by the East India company, and produce of the duties on gum Senega and gum Arabic; to be issued towards making good the said supply. 70,000*l.* out of such monies as shall be paid into the exchequer between 2 Feb. 1768, and 5 April, 1769, produce of the revenues reserved for the disposition of parliament, towards the charge of defending the colonies in America, to be applied accordingly. 106,358*l.* 17*s.* 8*d.* out of the several sums, &c. herein particularized; to be applied in making good the supply granted towards defraying the extraordinary expences of the land forces, &c. incurred, to 25 Dec. 1767. not provided for. Appropriation of the supplies. The monies arising by the malt tax, land tax, loans, lottery, East India agreement, and other sums remaining in the exchequer, &c. together with the several sums before granted and specified, and such sums as shall arise by sale of lands in the ceded islands; viz. out of the aforesaid aids, 1,526,357*l.* 11*d.* towards naval services herein specified. 159,328*l.* 11*s.* 6*d.* for charge of the office of ordnance; 68,944*l.* 12*s.* 11*d.* to the said office, for services performed in 1766, not provided for. 1,296,125*l.* 13*s.* 2*d.* 1*q.* towards the land forces, and other services in general; of which 606,221*l.* 12*s.* 10*d.* and seven eighth parts of 1*d.* for guards and garrisons in Great Britain, Guernsey, and Jersey; 326,950*l.* 4*s.* 9*d.* and seven eighth parts of 1*d.* for guards and garrisons in the plantations, and Africa, Minorca, and Gibraltar, &c. and provisions for the forces abroad; 7,226*l.* 17*s.* 2*d.* 2*q.* to make good the difference of pay between the British and Irish establishment of troops in the Isle of Man, Gibraltar, Minorca, and ceded islands; 12,237*l.* 7*s.* 3*d.* for general and general staff officers; 132,431*l.* to the reduced officers of the land forces and marines; 1,715*l.* 13*s.* to the two troops of horse guards, and regiment of horse reduced, and to the superannuated gentlemen of the 4 troops of horse guards; 5,227*l.* 14*s.* for reduced officers, with the 10th company of battalions reduced; 1,536*l.* to the pensions of officers widows; 108,949*l.* 17*s.* 6*d.* to the out-pensioners of Chelsea hospital; 93,629*l.* 6*s.* 6*d.* extraordinary expences of the land forces, and other services incurred, and not provided for; 1,800,000*l.* towards paying off exchequer bills issued pursuant to an act of the last session; 10,500*l.* to make good to his Majesty the like sum issued pursuant to the address of the house of commons; 5,000*l.* for a passage to the house of commons; 3,895*l.* 1*s.* 11*d.* for supporting the civil establishment of Nova Scotia; 3,986*l.* for the civil establishment of Georgia; 4,750*l.* for the civil establishment of East Florida; 4,400*l.* for the civil establishment

of

of West Florida; 2036l. 14s. towards expence of general surveys in America; 13,000l. for the forts and settlements in Africa, under direction of the African company; 5,550l. charges of the civil establishment of Senegambia; 29,000l. to the foundling hospital; and 2,000l. towards apprenticing children from thence: but not more than 7l. to be given with any one child; and both sums to be issued without fee. 2,000l. to the trustees of the British Museum. 53,480l. 17s. 8d. 3q. to replace to the sinking fund the like sum issued thereout, to make good the deficiency of the fund for paying annuities established by act 31 Geo. 2. 59,322l. 16s. 10d. to replace to the said fund the like sum paid thereout, for deficiency in annuities on the act of 3 Geo. 3. 88,435l. 19s. 6d. 2q. to replace to the sinking fund the annuities granted in respect of certain navy and victualling bills, &c. unredeemed; 8,750l. to replace to the sinking fund the like sum issued thereout, to discharge the annuities attending such part of the joint stock established by act 3 Geo. 3. as was redeemed in pursuance of an act of the last session. 392,484l. 4s. 5d. and three eighth parts of 1d. to make good the deficiency of the grants for the last year. These aids to be applied to no other uses. Rules to be observed in the application of the half-pay. act 7 Geo. 3. Rules to be observed in the application of the surplus of the several sums of 135,299l. 8s. 4d. appropriated in 1766, to the payment of reduced officers.

CAP. XXXI.

An act for raising a certain sum of money, by way of annuities, and a lottery attended with annuities, to be charged on the sinking fund; and for carrying certain duties on wines, and on cyder and perry, granted by two acts of the third and sixth years of the reign of his present Majesty, to the said fund.

Preamble. The sum of 1,900,000l. granted; to be raised, viz. 1,300,000l. thereof by annuities, and 600,000l. by a lottery. Natives or foreigners, who, in books opened at the bank, have subscribed to the said sum of 1,900,000l. and deposited 15l. per cent. of their subscription-money, are to pay the remainder as herein directed. 10l. per cent. by 19 April, 1768; 10l. per cent. by 7 June; 15l. per cent. by 19 July; 15l. per cent. by 20 August; 15l. per cent. by 21 October; and 20l. per cent. by 25 Nov. Subscriptions to the lottery to be paid, viz. 25l. per cent. by 17 May; 30l. per cent. by 28 June; and 40l. per cent. by 8 Sept. Subscribers to the said sum of 1,300,000l. intitled to an annuity of 3l. per cent. Interest to commence from 5 Jan. 1768. The 600,000l. to be raised by a lottery, to carry an interest of 3l. per cent. to commence from 5 Jan. 1769. Interest on both sums to be paid half-yearly, on 5 July, and 5 Jan. Subscribers paying the whole of their subscriptions towards the annuities on or before 17 October, and to the lottery on or before 25 June, to be allowed interest, by way of discount for the same. Tickets for the lottery to be delivered to subscribers compleating their subscriptions. Annuities made transferrable. Receipts to be given for the money paid in towards the said sum of 1,300,000l. the same are made transferrable. Cashier of the bank to give security for duly accounting for, and paying over the said monies into the exchequer. Treasury to apply the money to the services voted this session. Names of contributors to be entered in books to be provided by the accomptant general of the bank; to be inspected gratis: Duplicate to be transmitted into the auditor's office of the exchequer. Contributors duly paying their contribution-monies, intitled to a proportionable share of the annuities; and the same are to be tax-free; but where the sums subscribed shall not be duly paid, the deposit, &c. is forfeited to the publick. Credit to be given, in the books at the bank, to contributors compleating their payments to the said sum of 1,300,000l. Persons, to whose credit such sums shall be placed, may assign the same; the said sums to carry 3l. per cent. interest, and be deemed transferrable stock. Annuities charged on the sinking fund. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Managers to examine the books with the tickets, and deliver them after to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the remainder of the tickets. Tickets of the middle

middle columns to be rolled up, and fastened with silk; and cut off indentedwise into a box marked with the letter (A) Box to be locked up and sealed. Books to be prepared with 2 columns, on each of which 60,000 tickets to be printed. The number and value of the fortunate tickets. 500 l. to the first drawn ticket, and 1000 l. to the last drawn. Tickets of the outermost columns of the last-mentioned book to be rolled up and tied, and cut out indentedwise, into a box marked with the letter (B) Box to be locked up and sealed. Publick notice to be given of times of putting the tickets into the boxes. Lottery to begin drawing on 14 Nov. 1768. Method to be observed in drawing, &c. After each day's drawing, the boxes to be locked up and sealed. Numbers of the fortunate tickets, and the sums, to be printed. Disputes relating thereto to be adjusted by the managers. Penalty of forging tickets or certificates, felony. Managers to be sworn. Cashier, on receiving the residue of the sums subscribed, the bearers intitled to one lottery ticket for every 10 l. subscribed. Contributors not making good their payments with respect to the said lottery, within the times limited, to forfeit their deposits; and the tickets for such sums to be delivered back into the exchequer. Managers, &c. to be paid by the commissioners of the treasury. Limitation of sale of chances, &c. Penalty. Persons selling shares in tickets of which they are not possessed, forfeit 500 l. Offences committed in Ireland against acts for preventing unlawful lotteries, declared to be punishable, and may be sued for in Dublin. After the drawing of the lottery, the tickets to be exchanged for certificates. Managers to give notice of the time for taking in the tickets, and delivering out the certificates, &c. Books to be kept for entering persons names, and the number of their tickets, &c. Certificates to be signed, &c. Accountant general to give credit for the principal sums in the certificates. Assignments may be made of the said sums, &c. Certificates to be filed and cancelled, and notes to be given in lieu thereof. Bank to employ a chief clerk and accountant general. Monies to be issued out of the sinking fund, from time to time, to the said clerk, for payment of the annuities; who is to apply the same accordingly, and render an account thereof. Accountant general to inspect the receipts and payments, with the vouchers. Annuities deemed a personal estate, and to be added to the joint stock transferrable at the bank; subject to redemption. Transfer books to be kept by the accountant general. Method of transferring stock. Annuities deviseable by will. Entry to be made of such clause in the will. Treasury to pay all incident charges attending the execution of this act; and to make an allowance to the cashier, and accountant general; to be at the disposal of the governor and company of the bank. Bank to continue a corporation till these annuities be redeemed, &c. No fee to be taken for receiving or paying the contribution-monies, annuities, &c. on penalty of 20 l. The monies arising by the duties upon wines and vinegar imported, granted by act 3 Geo. 3. and duties upon cyder and perry granted by act 6 Geo. 3. &c. are to be carried to the sinking fund, towards making good the annuities granted by the recited act of 3 Geo. 3. until redemption of the capital, &c. Duties to be continued, notwithstanding such redemption. General issue. Treble costs.

C A P. XXXII.

An act for carrying into execution an agreement made between the mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the said city, and Stamp Brooksbank esquire, secretary to the commissioners of his Majesty's revenue of excise, for the purchase of Gresham College, and the ground and buildings thereunto belonging; and for vesting the same unalienably in the crown for the purpose of erecting and building an excise office there; and for enabling the
lecturers

leflurers of the said college to marry, notwithstanding any restriction contained in the will of Sir Thomas Gresham knight, deceased.

Preamble.

WHEREAS the house and buildings now made use of for the managing and conducting the business of his Majesty's revenue of excise, situate in the Old Jewry, London, and called or known by the name of The Excise Office, are, for want of necessary room for the officers and clerks, found very inconvenient and insufficient for the well ordering and conducting the business of the said office, which business hath, of late years, been considerably increased: and whereas the said house and buildings, as well from their construction, as from the number and nearness of the ancient houses which confine and surround the same, are greatly exposed to fire; and no place has been, nor can be there found sufficient and proper to secure the records and papers of the said office from such accidents; and as the lease of the said house and buildings will expire on the tenth day of October, one thousand seven hundred and seventy, it is necessary that some more safe, fit, and commodious place be prepared, to which the said office may be removed: And whereas the messuage, tenement, edifices, and buildings, now called and known by the name of Gresham College, situate in the parish of Saint Helens, in Bishopsgate Street, and in Saint Peters the Poor, in the city of London, have, upon enquiry, been deemed a proper and convenient place for the erecting and building an office for the managing, conducting, and carrying on, the business of his Majesty's revenue of excise: and whereas upon consideration of the premises, the commissioners of his Majesty's revenue of excise did, by and with the consent, approbation, and direction, of the commissioners of his Majesty's treasury, treat with the mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the city of London, who are seised of the said college called Gresham College; and in pursuance of such treaty, articles of agreement bearing date the tenth day of December, in the year of our Lord one thousand seven hundred and sixty seven, have been mutually entered into by and between the mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the city of London, of the one part, and Stamp Brooksbank esquire, secretary to the commissioners of his Majesty's revenue of excise, of the other part, whereby the said mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the city of London, for and in consideration of one yearly annuity of five hundred pounds of lawful money of Great Britain, free and clear of all parliamentary and other taxes, payments, charges, and deductions whatsoever, to be settled on the mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the city of London, for ever, to commence from the feast day of Saint Michael, one thousand seven hundred and sixty eight, and to be issuing and payable out of his Majesty's revenue arising from the duties of excise, as in the said agreement is mentioned, have consented and agreed to surrender, yield, and give up,

the

the said messuage or tenement called Gresham College, herein after more particularly mentioned, and described; with all its rights, members, and appurtenances, to be settled unalienably in the crown, for the purpose of making, erecting, and establishing there, an office for the conducting and carrying on the business of his Majesty's revenue of excise, and to be called or known by the name of The Excise Office: and whereas the said agreement cannot be carried into full and complete execution without the authority of parliament: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fifth day of March, one thousand seven hundred and sixty eight, all that messuage or tenement called Gresham College, in the parish of Saint Helens, in Bishopsgate Street, and in Saint Peter's the Poor, in the city of London, and all the ground thereunto belonging; containing on the west front next Old Broad Street in length, from north to south, two hundred and five feet, little more or less; and from the south end of the said front, pointing eastward, extends ninety feet six inches; then turning to the north fifty five feet six inches, then to the east eighty five feet three inches, then to the south five feet six inches, then to the east nine feet, then to the south twenty one feet five inches, then to the east twenty eight feet nine inches, then to the south twenty six feet two inches, then to the east twenty seven feet, then to the north twenty seven feet two inches; and from thence to Bishopsgate Street eastward in an irregular line eighty four feet nine inches; from thence to the north on the east side thereof next Bishopsgate Street is a gateway under one of the houses there of about ten feet wide from north to south, used as a coachway from Bishopsgate Street into the said college and premises; then on the north side of the said gateway from Bishopsgate Street pointing towards the west is thirty four feet four inches, then turning northward thirty feet eleven inches, then to the west forty five feet ten inches, then to the north seventy one feet six inches, then to the west forty nine feet, then to the north fifteen feet eight inches, then to the west twenty one feet seven inches, then to the north thirty six feet, and from thence to the west on the north side, which joins nearly at right angles to the west front in Old Broad Street, one hundred and eighty six feet six inches; and at the south end of the said west front next Old Broad Street, over a passage of five feet wide, or thereabouts, leading into Sun Yard, is a building belonging to the said college, which extends from west to east twenty three feet eight inches, together with all erections and buildings now erected and built upon the said ground and premises above described, or any part thereof, or that shall or may, at any time hereafter, be built and erected thereon, or any part thereof, with all the rights, members, privileges, immunities, exemptions, ways, paths, passages, waters, watercourses, easements, commodities, emoluments,

From and after 25 March 1768, the messuage called Gresham College, and the ground, &c. thereunto belonging;

with all rights and privileges belonging to and enjoyed therewith,

are declared to be vested in, and annexed unalienably to the crown ;

ments, advantages, and appurtenances whatsoever, to the said messuage, tenement, and college, or any part thereof, belonging and usually held and enjoyed therewith, shall be, and be deemed to be, and are hereby declared to be, vested in and annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same ; and his Majesty, and his successors in the imperial crown of this realm, shall for ever have, hold, and enjoy, the same, against the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, and all and every person and persons claiming or to claim by, from, or under them, or any of them, freed and discharged of and from all former estates, leases, or other incumbrances whatsoever, made or granted of the said premises, or any part thereof.

in full satisfaction for which, there shall be paid out of the revenue of the excise office to the city of *London*, and to the *Mercers* company an annuity of 500*l.* per ann. the same to be paid quarterly ; and the first payment to be made on 25 Dec. 1768 :

II. And be it enacted by the authority aforesaid, That in full satisfaction for the said college, ground, and premises, so vested in and annexed to the crown as aforesaid, there shall be paid to the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, for ever, one yearly annuity of five hundred pounds of lawful money of *Great Britain*, free and clear of all parliamentary and other taxes, payments, charges, and deductions whatsoever, payable quarterly on the four most usual feast days, or days of payment, in the year, to commence from the feast day of Saint *Michael*, one thousand seven hundred and sixty eight ; the first quarterly payment to be made on the feast day of the nativity of our blessed Lord, in the said year one thousand seven hundred and sixty eight, and to be issuing and payable out of the revenue of excise, and to be paid at the excise office in *London*, from time to time.

the receipt of the persons appointed by the city and *Mercers* company, to be a discharge to the receiver general of the duties of excise for such payments. If such payments are not duly made,

III. And be it enacted by the authority aforesaid, That on payment of the said yearly annuity of five hundred pounds, or any part thereof, by the receiver general of his Majesty's duties of excise for the time being, the receipt of the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, or of such person as they shall appoint to receive the same, shall be a discharge to such receiver general for the sum of money expressed in such receipt, and the same shall be allowed such receiver general on passing his accounts ; and in case the said annuity, or any part thereof, shall be behind and unpaid by the space of twenty one days next over or after any of the said feasts, or days on which the same shall become due and payable, after having been lawfully demanded at the office aforesaid, it shall and may be lawful to and for the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, to bring an action at law, in his Majesty's court of exchequer at *Westminster*, against the receiver general of his Majesty's duties of excise for the time being, to recover the money due ; in which action no essoin, wager of law, or protection, shall be allowed ; and in

an action may be brought against such receiver general.

case the plaintiff or plaintiffs shall recover in such action, he or they shall be intitled to full costs. and full costs allowed on recovering.

IV. *And whereas pursuant to the last will and testament of Sir Thomas Gresham of the city of London knight deceased, four persons have, from time to time, been chosen, nominated, and appointed, by the mayor and commonalty and citizens of the city of London, to read lectures of divinity, astronomy, musick, and geometry, within the said college; and also eight persons have been, from time to time, appointed by the said mayor and commonalty and citizens of London, to inhabit eight almshouses standing within, or adjoining to, and part of, the said college; and also three persons have, from time to time, been chosen, nominated, and appointed, by the wardens and commonalty of the mystery of Mercers of the city of London to read lectures in law, physick, and rhetorick, within the said college; and such seven persons so chosen, nominated, and appointed, to read such lectures have, by the directions of the said will, had apartments within the said college for the purpose of residing there and reading such lectures: and whereas the said several seven persons so chosen, nominated, and appointed, to read the said lectures, and the said eight alms-folks, the better to enable the mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the city of London, to perform their part of the agreement entered into as aforesaid, have respectively agreed and consented to relinquish and quit their apartments and almshouses; be it enacted by the authority aforesaid, That the mayor and commonalty and citizens of the city of London do and shall pay, or cause to be paid, unto the four persons who now read the said lectures in divinity, astronomy, musick, and geometry, and to their successors who shall, from time to time, be chosen, nominated, and appointed, to read the said lectures, and to each and every of them, the yearly sum of fifty pounds of lawful money of Great Britain, free and clear of all parliamentary and other taxes, payments, charges, and deductions whatsoever, by even and equal quarterly payments, in lieu and instead of their respective apartments so by them agreed to be relinquished and given up, and over and above the salaries and stipends found, provided, and allowed, to them for reading the same lectures; and in like manner that the wardens and commonalty of the mystery of Mercers of the city of London do and shall pay, or cause to be paid, unto the three persons who now read the said lectures in law; physick, and rhetorick, and to their successors who shall, from time to time, be chosen, nominated, and appointed, to read the said lectures, and to each and every of them the yearly sum of fifty pounds of lawful money of Great Britain, free and clear of all parliamentary and other taxes, payments, charges, and deductions whatsoever, by even and equal quarterly payments, in lieu and instead of their respective apartments so by them agreed to be relinquished and given up, and over and above the salaries and stipends found, provided, and allowed, to them for reading the same lectures; the first quarterly payments of the said yearly sums respectively to be made on the feast day*

50 l. per annum clear of all taxes to be paid by the city to their several lecturers, in consideration of the apartments relinquished by them in the said college; the same to be paid quarterly.

and 50 l. per annum by the Mercers company to their lecturers, in lieu of their apartments;

the first quarterly payments to be

made on 25
Dec. 1768.

An additional
sum of 50 l.
per annum to
be paid by the
Mercers com-
pany to doctor
Pemberton
during his
life.

The city, and
Mercers com-
pany, to pro-
vide proper
places for the
reading of
lectures ;

and for the
habitation of
the alms-folks
of the college.

The city and
Mercers com-
pany are to
pay to the re-
ceiver general
of the excise,
within a
month, 1800 l.
towards the
charge of
pulling down
the college,
and building
an excise of-
fice.

Persons pos-
sessed, &c. of
such lands or
tenements as
shall be found
necessary for
rendering the
said building
more commo-
dious, are im-
powered to sell
and convey
the same for
that purpose ;

of the nativity of our blessed Lord, in the said year one thousand seven hundred and sixty eight.

V. And be it further enacted by the authority aforesaid, That in consideration of the great age and infirmities of *Henry Pemberton* doctor of physick, the present reader in physick in the said college, and of his long residence therein, the said wardens and commonalty of the mystery of *Mercers* of the city of *London* shall, over and above the said yearly sum of fifty pounds by this act provided for the reader in physick for the time being, by like quarterly payments pay, or cause to be paid, unto the said *Henry Pemberton*, the further additional yearly sum of fifty pounds for and during the term of his natural life, free and clear of all taxes and deductions whatsoever.

VI. And be it further enacted by the authority aforesaid, That the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, do and shall, from time to time, and at all times hereafter, find and provide sufficient and proper place or places for the present seven professors, and all succeeding persons to be chosen, nominated, and appointed, for the reading the lectures in divinity, astronomy, musick, geometry, law, physick, and rhetoric, to read the same in accordingly ; and also like sufficient and proper place and places for the habitation of the eight alms-folks now or hereafter for the time being.

VII. And be it further enacted by the authority aforesaid, That the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, do and shall, within the space of one month from the passing of this act, pay, or cause to be paid, unto the receiver general of his Majesty's duties of excise, the sum of one thousand eight hundred pounds, for and towards the expence of pulling down the said college and the building an excise office there ; and the receipt of such receiver general shall be a sufficient discharge for the same.

VIII. And whereas it may be found necessary for the more commodious building the said office, or for rendering the same more convenient and proper by any future buildings to be added thereto, that a power be vested in the commissioners of his Majesty's treasury for the purchasing lands or tenements for those purposes ; be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for all bodies politic, corporate, or collegiate, and all trustees, mortgagees, and feoffees in trust, guardians of infants, and committees of lunaticks, and ideots, executors, and administrators whatsoever ; and all and every other person or persons whomsoever ; who are or shall be seized, possessed, or interested in, any lands or tenements standing, or being contiguous or adjoining to, the said college, to bargain and sell the same to such person or persons as the commissioners of his Majesty's treasury now being, or any three or more of them, or the high treasurer, or the commissioners of his Majesty's treasury for the time

time being, or any three or more of them, shall, by writing under his or their hands, appoint to contract for the purchase thereof, for the purpose aforesaid; and such lands or tenements so to be purchased, shall be conveyed to his Majesty, his heirs, or successors, by deed or deeds to be inrolled in his Majesty's court of *King's Bench*; and when so purchased, shall be, and be deemed to be, and are hereby declared to be, vested and annexed to the imperial crown of this realm, and shall be and remain for ever unalienable from the same; and all contracts, agreements, and sales, and all conveyances by such deeds inrolled as aforesaid, which shall be made by such bodies politic, corporate, or collegiate, or other persons aforesaid, shall be valid and effectual to all intents and purposes; any law, statute, or usage, or any other matter or thing to the contrary notwithstanding: and all and every sum and sums of money which shall be paid to or for the use of such body politic, corporate, or collegiate, or other person or persons aforesaid, for the purchase of any lands or tenements for the purposes of this act, shall be respectively laid out, and invested in, the purchase of other lands, tenements, and hereditaments, which shall be conveyed and settled to and upon, and subject to, such titles, uses, trusts, limitations, remainders, and contingencies, as the lands and tenements sold for the purpose of this act were settled, limited, and assured, at the time of such sale, and shall be held and enjoyed accordingly; and until such purchase-money shall be reinvested in lands as aforesaid, the same shall be laid out in the purchase of stocks in some of the publick funds, or placed out on government or real securities, at interest; and such interest shall be paid to and for the use of such person or persons as would have been intitled to the rents and profits of the lands and tenements so sold for the purposes of this act, as aforesaid.

and after conveyance and inrollment of the deed of sale, the premises are to vest in the crown unalienable.

Money paid for the same to be laid out in other purchases, and to be settled to the same uses;

and till that can be done, to be laid out in some of the public funds.

IX. And be it further enacted by the authority aforesaid, That when the excise office shall be built at *Gresham College* aforesaid, and the said office shall be kept and held there, the same shall be called *The Excise Office*, and that all and every act and acts, thing and things, matters and concerns, made, done, and executed there, for the receipt and management of his Majesty's duties of excise, shall be and are hereby declared to be as good and valid in the law, to all intents and purposes, as such act or acts, matters, things, or concerns, would have been, had the same been made, done, and executed, at the said office of excise in the *Old Jewry*, had this act never been made.

All acts, &c. done at the excise office, when built at *Gresham College*, deemed as valid as if done at the office in the *Old Jewry*.

X. Saving always, to the King's most excellent majesty, his heirs and successors, and all and every person and persons, bodies politic and corporate (other than and except the mayor and commonalty and citizens of the city of *London*, and the wardens and commonalty of the mystery of *Mercers* of the city of *London*, and all persons claiming by, from, and under them) all such estate, right, title, and interest, in, to, and out of, the said college, ground, and premises, herein before mentioned, or

Reservation of rights.

any part thereof, as fully and amply, to all intents and purposes, as if this act had not been made.

XI. *And whereas in and by the said last will and testament of the said Sir Thomas Gresham, the mayor commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of Mercers of the city of London, were directed to permit and suffer the seven persons elected and appointed to read the seven lectures in the said will mentioned, to have the occupation of all the mansion-house, gardens, and other appurtenances, (now called Gresham College) for them, and every of them, there to inhabit, study, and daily to read the said several lectures: and whereas in and by the said will it is directed, that no person chosen to read any of the said lectures should be suffered to read any of the said lectures after that he should be married, nor should receive any fee or stipend appointed for the reading of the said lectures: and whereas in pursuance of this act the said college will be pulled down and taken away, and the collegiate life of the said lecturers, intended by the said Sir Thomas Gresham, will, by the pulling down of the said college, be put an end to; be it enacted by the authority aforesaid, That from and after the passing of this act, it shall and may be lawful to and for the said seven lecturers, or their successors, or any of them, to marry, notwithstanding any restriction contained in the said will; and each and every of the said lecturers, and their successors, shall, notwithstanding their being married, be suffered to read their said several lectures after they shall be married, and shall be intitled to receive the fee or stipend appointed for the reading of their said several lectures; and the mayor, commonalty, and citizens, of the said city of London, and the wardens and commonalty of the said mystery of Mercers, and their successors, shall not be or be deemed guilty of any misapplication of such sum or sums of money as shall be paid in fees or stipends to the said lecturers, though married; any restriction or limitation in the said will contained to the contrary notwithstanding.*

The lecturers authorized to marry, and read lectures afterwards, notwithstanding any restriction or limitation in Sir Thomas Gresham's will.

C A P. XXXIII.

An act for opening certain passages, and for paving the streets and other places, in the parish of Saint Leonard Shoreditch, in the county of Middlesex, and for preventing annoyances therein.

Preamble,

WHEREAS the high streets called Holywell Street Church End, and part of Kingsland road, leading from Norton Falgate, to the Cherry Tree in Kingsland road, and a lane called Hog Lane, and also another lane called Holywell Lane, in the parish of Saint Leonard Shoreditch, in the county of Middlesex, are extremely ill paved, and the passage through the same greatly obstructed by posts and projections, and annoyed by spouts, signs, and gutters, and the present methods prescribed by law are ineffectual for removing such annoyances and obstructions, and for the proper paving of such streets and lanes, and keeping such pavements in sufficient repair; may it therefore please your Majesty, that it may be enacted;

acted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That Sir *William Beauchamp* Commissioners names. *Proctor* baronet, *George Cooke* esquire, *Sir James Easdaile*, the reverend *John Hotbam* M. A. archdeacon, *John Paterson*, *William Tyler*, *John Calvert*, *Benjamin Clempson*, *Thomas Scott*, *Samuel Scott*, *Benjamin Cowley*, *Dirk Witternoon*, *Andrews Panke-man*, *Nahum Crosley*, esquires; captain *John Baker*, captain *Joseph Hindman*, *James Wood*, *John Hammon*, *Robert Plimpton*, *Simon Forster*, *John Aspinall*, *Edward Lambert*, *Richard Russon*, *William King George*, *Joseph Newsom*, *James Stewart*, *William Wilson*, *John Caplin*, *Robert Parker*, *William Green*, *Joseph Pocock*, *John Norris*, *William Goodman*, *John Mort*, *Sampson Jessop*, *Thomas Chantellor*, *Arthur Deane*, *Matthew Ebborne*, *George Farmer*, *John Pippin*, *John Banks*, *Samuel Dunnage*, *Peter Arnaud*, *John Marshall*, *Benjamin Mills*, *Samuel Ament*, *Edward Hutchinson*, *James Clarke*, *Joseph Titterton*, *William Collier*, *William Mansel*, *William Pigge*, *Samuel Sewell*, *James Laird*, *John Simmonds*, *John Horsley*, *John Marno*, *Joseph Page*, *Edward Brown*, *John Oldham*, *Thomas Cooper*, *Charles Morton*, *William Clarke*, *Peter Whitlock*, *William Fricker*, gentlemen; *John Withers*, *Richard Nicholas*, *Benjamin Rosewell*, *Henry Newcom*, *James Calvert*, *James Calvert junior*, *Cadwallader Coker*, esquires; *William Feast*, *Benjamin Barnsley*, *Robert Romley*, *Joshua Wilkinson*, *Andrew Pritchard*, *John Maxey*, *Michael Forster*, *William Carpenter*, *John Arthur*, gentlemen; *John Spiller*, *Thomas Boddington*, *George Adey*, *John Barclay*, *Richard Wainwright*, esquires; *Louis Ogier*, *William Jourdain*, *Joseph Pickles*, *Tesdale Webb*, and *William Maskall*, gentlemen; shall be, and they and their successors, to be elected in manner herein after-mentioned, are hereby appointed commissioners for putting this act in execution: and in case of the death of any of the said commissioners, or refusal to act, it shall be lawful for the surviving or remaining commissioners, or any nine or more of them, from time to time, by writing under their hands and seals, to elect one other person to be a commissioner in the room and stead of the commissioner so dying, or refusing to act; ten days publick notice of the time and place of meeting for every such election being given, by affixing the same in writing upon the principal door of the parish church of *Saint Leonard Shoreditch*; and every person so elected, shall be, and he is hereby vested with the same powers for putting this act in execution, as the person, in whose place he shall be elected, was vested with.

On death, &c.
of commis-
sioners, others
to be chosen.

II. And be it further enacted by the authority aforesaid, That no person shall be capable of acting as a commissioner in the execution of this act, unless he shall in his own right, or in the right of his wife, be in the actual possession or receipt of the rents of lands, tenements, or hereditaments, of the clear yearly value of forty pounds; or possessed of, or intitled to, a personal estate of the value of one thousand pounds: and if any per-

Qualification
of commis-
sioners.

Penalty on
acting if not
qualified.

son, not being so qualified, shall presume to act as a commissioner in the execution of this act; every such person shall, for every such offence, forfeit and pay the sum of fifty pounds, together with costs of suit, to any person or persons who shall sue for the same; to be recovered in any of his Majesty's courts of record, by action of debt, or on the case, or by bill, suit, or information, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed, and wherein the proof of qualification shall lie on the person prosecuted; and it shall be sufficient for the prosecutor to prove that the person so prosecuted had acted as a commissioner in the execution of this act.

No victualler
to act under
this act.

III. Provided always, and be it further enacted by the authority aforesaid, That no person who shall sell ale, wine, or any spirituous or fermented liquors, by retail, shall be capable of acting as a commissioner under this act.

Time and
place of com-
missioners
meeting.

IV. And be it further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, shall meet together at the vestry room of the said parish church of *Saint Leonard Shoreditch*, on the second *Monday* after the passing of this act, and shall then and there proceed to the execution of this act, and they are hereby impowered to adjourn themselves, from time to time, to meet at the same place: and if at any meeting so appointed, there shall not appear a sufficient number of commissioners to act or adjourn to another day; or in case the said commissioners so assembled, shall omit, neglect, or refuse to adjourn themselves, then, and in every such case, any two of the said commissioners, or the clerk to the said commissioners, shall appoint a meeting of the said commissioners to be held within ten days after at the same place; and publick notice whereof shall be given by affixing the same in writing upon the principal door of the aforesaid parish church, at least six days before such adjourned meeting.

In default of
a sufficient
number to act,

Clerk to give
notice of ano-
ther meeting.

No act valid,
except at a
publick meet-
ing.

Commission-
ers not to act
where inter-
ested.

V. Provided always, That no order or determination of the said commissioners shall be valid, unless the same shall be made at a meeting held in pursuance of this act; nor shall any commissioner hereby appointed, or hereafter to be appointed, as aforesaid, be capable of acting as such, during the time he shall enjoy any office of profit by virtue of the powers given by this act, or have any share or interest in any contract relating to the execution thereof.

Commission-
ers may ap-
point officers;

and remove
them, and ap-
point others.
Commission-
ers to allow
officers sala-
ries.

VI. And be it further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, shall and may, by any writing under their hands and seals, appoint one or more clerk or clerks, surveyor or surveyors, and such other officers, for the execution of this act, as they shall think proper; and, from time to time, remove him or them, and appoint others, as they shall find necessary or convenient; and by and out of the money to be raised by virtue of this act may, and are hereby impowered to pay such salaries and allowances to such officers, and to all other persons by them the said commissioners employed in the execution of this act, as they shall think reason-
able:

ble : and the said commissioners, or any five or more of them, shall and may take such security for the execution of the respective offices, by such person or persons as aforesaid, as the said commissioners, or any five or more of them, shall think proper : and such person or persons as is or are hereby made liable to pay the several tolls, rates, or sums of money, hereby granted, shall pay the same to such person or persons as shall, from time to time, be appointed to collect or receive the same as herein after-mentioned : and all such officers and persons so to be appointed as aforesaid shall, under their hands, at such time and times, and in such manner, as the said commissioners, or any five or more of them, shall direct, deliver to such commissioners true and perfect accounts in writing of all matters and things committed to their charge by virtue of this act ; and also of all monies which shall have been by them respectively received by virtue and for the purposes of this act, and how much thereof has been paid and disbursed, and for what purposes, together with the proper vouchers for such payments ; and shall pay all such monies as shall remain in their respective hands to the commissioners, or any five or more of them, or to such person or persons as they shall appoint ; and all the said officers and persons so accounting as aforesaid shall, upon oath, if thereunto required (which oath the said commissioners, or any two or more of them, are hereby empowered to administer) verify their said accounts : and if any officer or person shall not make and render, or shall refuse to verify upon oath, any such account, or to produce or deliver up the vouchers relating to the same, or to make payment as aforesaid ; or shall not deliver to the said commissioners, or any five or more of them, or to such person or persons as they shall appoint, within ten days after being thereunto required by any five or more of such commissioners, all books, papers, and writings, in his custody or power relating to the execution of this act ; or shall refuse or neglect to pay such monies as, upon the balance of any account or accounts, shall appear to be in their respective hands, to the said commissioners, or any five or more of them, or as they shall direct or appoint ; then, and in any of the cases aforesaid, such commissioners, or any five or more of them, may, and are hereby authorized and empowered, to bring, or cause to be brought, any action or actions in the names of such commissioners, or in the names of any three or more of them, against the officer or officers, person or persons, so neglecting or refusing as aforesaid, in order for the recovery of the monies that shall be in the hands of such officer or officers, person or persons respectively ; or if complaint shall be made by the said commissioners, or any five or more of them, or by such person or persons as they shall appoint for that purpose, of any such refusal or neglect as aforesaid, to any justice of the peace for the county or place wherein such officer or officers, person or persons, so neglecting or refusing shall be and reside ; such justice may, and is hereby authorized and required, by a warrant or warrants under his hand and seal, to cause the officer or officers, person or persons,

officers to
give security.

Officers to ac-
count upon
oath.

Officers re-
fusing to ac-
count,

may be sued ;

or if com-
plaint be made
to justices,

justices to en-
quire into the
default,

and levy the
balance by
distress and
sale.

For want of
distress, offen-
der to be com-
mitted.

Proviso.

On death of
officers, exe-
cutors, &c. to
account.

Officers tak-
ing rewards,
&c. disquali-
fied, and for-
feited root.

persons, so refusing or neglecting, to be brought before him; and upon his or their appearing, or not being to be found, to hear and determine the matter in a summary way: and if, upon the confession of the party or parties, or by the testimony of any credible witness or witnesses upon oath, it shall appear to such justice, that any of the monies that shall have been collected or raised by virtue of this act, shall be in the hands of such officer or officers, person or persons; such justice may, and he is hereby authorized and required, upon the non-payment thereof, by warrant or warrants under his hand and seal, to cause such money to be levied by distress and sale of the goods and chattels of such officer or officers, person or persons offending in the premises respectively: and if no goods or chattels of such officer or officers, person or persons, can be found sufficient to answer and satisfy such money, and the charges of distraining and selling the same; or in case it shall appear to such justice, by the confession of the party so offending, or by the testimony of any credible witness upon oath, that any books, papers, or writings, relating to the execution of this act, shall be in the custody or power of any such officer or person, and he shall refuse to deliver the same as aforesaid; then, and in either of the said cases, such justice shall commit every such offender to the common gaol of the county or place where such offender shall be and reside; there to remain without bail or mainprize until he shall give and make a true and perfect account and payment as aforesaid, or until he shall compound with the said commissioners, or any five or more of them, and shall have paid such composition, in such manner as they shall appoint (which composition the said commissioners, or any five or more of them, are hereby empowered to make) and until he shall deliver up such books, papers, and writings as aforesaid, or give satisfaction in respect thereof to the said commissioners, or any five or more of them.

VII. Provided always, That no person who shall be committed on account of his having no goods or chattels, shall be detained in prison for any term longer than six months.

VIII. And it is hereby further enacted, That upon the death of any such officer, or other person, to be appointed as aforesaid, his executors or administrators shall, within twenty days next after such decease, deliver to the said commissioners under this act, or any five or more of them, an account of the monies collected or received by the person so deceased for the purposes of this act; and shall also deliver all books, papers, and things, concerning his office to such officer or persons as the said commissioners, or any five or more of them, shall appoint to receive the same; which money, if any due, shall be paid by the executors or administrators of the person so deceased in preference to, and before any of, his or their other debts are paid or satisfied.

IX. And be it further enacted by the authority aforesaid, That if any person, who shall be employed by the said commissioners as a clerk, surveyor, or any other officer or servant,

in

in the putting this act, or any of the powers thereof, in execution, shall exact, take, or accept, any fee or reward whatsoever, other than such salaries, allowances, and rewards, as shall be appointed, allowed, and approved of by the said commissioners, or any five or more of them, for or on account of any thing done or to be done by virtue of this act, or on any account whatsoever relative to the putting this act in execution; or shall be any ways concerned in interest in any bargain or contract made or to be made by the said commissioners, or any of them, for the purposes of putting this act in execution; every such person, so offending, shall be incapable of ever serving or being employed under this act, and shall forfeit the sum of one hundred pounds to any person or persons who shall sue for the same, by action of debt, bill, plaint, or information, in any of his Majesty's courts of record, within six calendar months after the offence committed, in which no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

X. And be it further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, shall have full power and authority, from time to time, to cause, order, and direct, the said streets and lanes to be paved, repaired, raised, sunk, or altered, when and in such manner as they shall think fit. Streets to be paved.

XI. And be it further enacted by the authority aforesaid, That the said commissioners or any five or more of them, shall have full power and authority to cause to be dug, carted, and carried out of or into the said streets and lanes, such gravel, stones, or other materials, and to employ such artificers, workmen, and other persons and to issue such money on those accounts, and to do all and every such other acts and things as the said commissioners, or any five or more of them, shall judge necessary for accomplishing the purposes of this act. Materials may be dug out of or carried into the streets.

XII. And be it further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, may, and they are hereby impowered, from time to time, to contract with any person or persons for paving and keeping in repair the said streets and lanes above described, or any of them; which contract and contracts shall specify the several works to be done, and the prices to be paid for the same, and the time or times when the said works shall be completed, and the penalties to be suffered in case of non-performance thereof; and shall be signed by the said commissioners, or any five or more of them, and by the person or persons contracting to perform such works; but previous to the making of any such contract, fourteen days notice shall be given in some publick news paper, expressing the intention of such contract, in order that any person or persons, willing to undertake the same, may make proposals for that purpose to the said commissioners at a certain time and place in such notice to be mentioned. Commissioners may make contracts.

XIII. And be it further enacted by the authority aforesaid, That the property of the pavements, and all materials and things which shall be provided and made use of for the purposes of this act Property of materials vested in commissioners.

act, shall be, and the same are hereby vested in the said commissioners; and they, or any five or more of them, are hereby authorized and impowered to bring, or cause to be brought, any action or actions in the name or names of any one or more of them, or to prefer, or order and direct the preferring of, indictments against any person or persons who shall steal, take, or carry away, any part of such materials or things, or disturb them in the possession thereof.

Penalty on interrupting workmen.

XIV. And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time or times, obstruct, hinder, or molest, any surveyor or surveyors, or other officer or officers, workmen, person or persons whatsoever, who is, are, or shall be, employed by virtue of this act in the performance or execution of their duty; every such person so offending shall, for the first offence, forfeit the sum of twenty shillings, for the second offence the sum of forty shillings, and for the third and every other offence, the sum of three pounds.

Commissioners may sell old materials, &c.

XV. And it is hereby further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, shall have full power and authority, from time to time, to sell and dispose of all or any part of the old pavement, or other materials, to such person or persons as shall be willing to purchase the same, and to apply the purchase-money to the purposes of this act.

Notice to be given of taking up pavements, &c. for repairing any Vault, drain, &c.

XVI. And be it further enacted by the authority aforesaid, That when and so often as any part of the pavement of the said streets or lanes shall be taken up for the purpose of making, repairing, altering, cleansing, or emptying, any sewer, vault, or drain, or of laying, altering, or amending, any water pipe or plug, or for any other purpose whatsoever, the person or persons so taking up such pavement shall immediately give notice thereof to the surveyor or clerk to the commissioners for putting this act in execution, in order that the same may, with all convenient speed, be laid down and repaired, under the inspection of the said surveyor; and the charges and expences thereof shall be paid by the said commissioners, and they shall be reimbursed the same by the person or persons, companies of water-works, or commissioners of sewers, who shall take up, or cause or procure to be taken up, the said pavement, or any part or parts thereof.

Commissioners may contract with companies for relaying such pavements.

XVII. Provided always, and be it further enacted by the authority aforesaid, That it shall be lawful for the said commissioners for putting this act in execution, or any five or more of them, from time to time, to compound and agree with the said companies, or commissioners of sewers, or other person or persons respectively, for a certain sum of money; by the foot or other measure, as the said commissioners for putting this act in execution, or any five or more of them, shall think reasonable, in lieu and instead of laying down or repairing such pavement as shall be necessarily taken up for any the purposes aforesaid.

On refusal of payment, an action may be brought.

XVIII. And be it further enacted by the authority aforesaid, That in case such person or persons, companies of water-works, or commissioners of sewers respectively, shall neglect or refuse to

pay

pay what the said commissioners should have so paid and disbursed, or what shall be due upon such contract or composition as aforesaid, within ten days next after notice thereof to be left by the surveyor or clerk appointed, or to be appointed, by the said commissioners, at the dwelling-house or last place of abode of such person or persons, or of the secretary or secretaries, clerk or clerks, of such companies of water-works, or commissioners of sewers respectively (which notice shall be in writing, and signed by the clerk to the commissioners for putting this act in execution, by order of the said commissioners, or any five or more of them, and annexed to the bill containing an account of the expence of such repair, or money due upon such composition) it shall and may be lawful to and for the said last-mentioned commissioners, or any five or more of them, and they are hereby authorized and impowered to bring, or cause to be brought, any action or actions, in the name of their clerk for the time being, for the recovery of such sum or sums of money respectively: and in case such person or persons, hereby directed to give such notice to the surveyor or clerk to the commissioners for putting this act in execution, as is before directed, shall neglect so to do for the space of twenty four hours after such pavement shall be so taken up, such person or persons shall, for every such offence, forfeit and pay the sum of twenty shillings.

XIX. And be it further enacted by the authority aforesaid, Commissioners to pay for altering pipes. That if, for the purposes of this act, it shall at any time be found necessary to raise, sink, or otherwise alter, the position of any of the pipes or plugs laid down or placed by the said companies, or of any of the leaden or other pipes which shall be laid into or from any of the said companies pipes, which the said commissioners, or any five or more of them, are hereby impowered to cause to be done as often, and in such places, as they shall think proper, the same shall be paid for out of the monies arising by virtue of this act, and shall be done with as little detriment or inconvenience to the said companies, and other persons, as the circumstances of the case will admit of.

XX. And be it further enacted by the authority aforesaid, Where any of the water companies pipes break: Notice to be given to such companies. That when and so often as it shall happen that any pipe or pipes belonging to any water companies shall break or burst in the said streets or lanes, or any of them, it shall and may be lawful to and for the surveyor to the said commissioners for the time being, or such other person as the said commissioners, or any five or more of them, shall appoint for that purpose, to give immediate notice thereof to the pavior of the water company to whom he apprehends such pipe or pipes does or do or may belong, and require him to take up the pavement, and open the ground at or near the place where the water shall or may issue by reason of such pipe or pipes breaking or bursting, within two days next after such notice given to such pavior, or left at his last or usual place of abode; and if, upon taking up the pavement, and opening the ground, it shall appear that the pipe or pipes so broke or burst do not or doth not belong to the water company

If it proves that the pipe does not belong to the company who first opens the ground, they are to be paid their charges by the company to whom it does belong.

company whose pavior shall have taken up such pavement and opened such ground; that then, and in such case, the surveyor or other person as aforesaid shall give immediate notice to the pavior of that company to whom it shall appear that the said pipe or pipes do or doth belong, such notice to be given or left with such pavior, or at his last or usual place of abode; and the pavior of the company to whom such pipe or pipes shall belong is hereby required to repair the same, and fill in the ground, within two days after such notice given or left as aforesaid; and also within twenty four hours after such pipe shall be repaired, and the ground filled in, to give notice to the pavior or paviers contracting with the said commissioners, or to the surveyor or other person aforesaid, of such pipe or pipes being repaired, and such ground being filled in, such notice to be given to such contractor, surveyor, or other person, or left at his or their last or usual place of abode: and in case it shall happen that the pavior who first receives notice to take up the pavement and open the ground for the purposes aforesaid, shall take up such pavement and open such ground, and it shall then be discovered that the pipe or pipes which is, are, or shall be burst or broke do or doth not belong to the company to whom he is pavior; that then, and in such case, the pavior of the company to whom such pipe or pipes do or doth belong shall make satisfaction to the pavior who so took up such pavement and opened such ground for such work: and in case the pavior to whom such notice shall be so given to take up such pavement and open such ground, shall neglect or refuse to do the same within the said two days after notice given, he shall, for the first offence, forfeit and pay the sum of twenty shillings, for the second offence the sum of forty shillings, and for the third and every other offence the sum of three pounds: and in case the pavior of the company to whom such pipe or pipes so broke or burst shall belong shall neglect or refuse to repair and amend the same, and fill in the ground so taken up, for the space of two days next after such notice given, or shall neglect to give notice to the pavior or paviers contracting with the said commissioners, or to the surveyor to the said commissioners, or to such other persons as aforesaid; such pavior shall, for the first offence, forfeit the sum of twenty shillings; for the second offence, the sum of forty shillings; and for the third and every other offence, the sum of three pounds: and if the person or persons contracting with the said commissioners to relay such pavements, so broken or taken up for the reasons aforesaid, shall neglect or refuse to relay such pavement, in a good, sufficient, and effectual manner, within two days after such notice given to him as aforesaid, or if the surveyor or other person to whom such notice shall be given shall neglect to acquaint the contractor of such notice; then, and in every such case, the person or persons so offending shall, for the first offence, forfeit the sum of twenty shillings; for the second offence, the sum of forty shillings; and for the third and every other offence, the sum of three pounds.

XXI. And be it further enacted by the authority aforesaid, That every pavior now appointed, or hereafter to be appointed, by the said several water companies who shall have any pipe or pipes laid in, through, or under, any of the streets or lanes within the district comprized in this act, shall, and he is hereby required, within the space of eight days next after the passing this act, or within the space of three days next after he shall be appointed pavior to such company or companies, and within the space of three days next after every removal of his abode, to give notice, in writing, to the surveyor or clerk for the time being to the said commissioners of his the said pavior's name and place of abode, and to what company he is pavior: and in case any such pavior shall neglect or refuse to give such notice within the respective times aforesaid; every such pavior, so offending in either of the said cases, shall, for the first offence forfeit the sum of twenty shillings; for the second offence, the sum of forty shillings; and for the third and every other offence, the sum of three pounds.

Pavior to water companies to give notice to the surveyor or clerk, of their names and abode.

XXII. And be it further enacted by the authority aforesaid, That no person or persons shall make, or cause to be made, any alteration in the form of any of the pavements of the said streets or lanes, or of any part thereof, without the consent and direction of the said commissioners, or any five or more of them, under their hands and seals, upon pain of forfeiting, for every such offence, the sum of five pounds over and above all expences incurred, or to be incurred, in reinstating the same.

No alteration to be made in the form of the pavements, without consent of the commissioners.

XXIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, from time to time, to direct and cause the course of any gutter or channel running in or through the said streets or lanes, or any of them, to be turned or altered in such manner as they shall think proper; and to direct the grates already placed, or hereafter to be placed, over any sewers, to be removed or replaced in such manner, and at such place and places, as they shall think most proper; all which shall, from time to time, be done at the expence of the said commissioners, and paid for out of the money arising by virtue of this act; any law, usage, or custom, to the contrary notwithstanding.

Course of gutters to be turned, if necessary.

XXIV. And be it further enacted by the authority aforesaid, That when and so often as there shall be occasion to make new or additional grates over any sewer or sewers within the said streets or lanes, or any of them, or to repair or alter any of the old grates belonging to the commissioners of sewers in the said streets or lanes, or any of them, the same shall be made new, repaired, or altered, by and at the expence of the said commissioners of sewers; and the same, when so made new, repaired, or altered, shall be laid down in such places, and at such distance from each other, and in such manner and form, as shall be directed by the surveyor to the commissioners for putting this act in execution, at the expence of the said commissioners of sewers; and in case the said commissioners of sewers shall neglect

Where it shall be necessary to make new grates or repair old ones, commissioners of sewers to pay the expence.

glect or refuse so to do for the space of six days next after notice given or left with their clerk or clerks for the time being; it shall and may be lawful to and for the said commissioners appointed by this act, or any five or more of them, or their surveyor, to cause such grate or grates as shall be necessary to be made new, repaired, altered, and laid down, to be so made new, repaired, altered, and laid down; the expence whereof shall be reimbursed and paid by the said commissioners of sewers, or recovered of them in like manner as the charges and expences of relaying pavements is herein before authorized to be recovered.

Sewers, &c. to
be repaired by
the commis-
sioners of
sewers.

XXV. And be it further enacted by the authority aforesaid, That when and so often as any sewer or drain, which is or shall be under the direction of the commissioners of sewers, and which shall be situate in, or communicating with, the said streets or lanes, or any of them, shall require to be made new, repaired, altered, cleansed, or emptied; then, and in every such case, the said commissioners of sewers shall, within six days after notice given to, or left for, their surveyor or clerk for the time being, at his last or usual place of abode, by the said commissioners appointed to put this act in execution, or any five or more of them, or by the surveyor or other person authorized by them, to make new, effectually repair, clean, or empty, such sewer or drain, as the case may require; and in default thereof, it shall and may be lawful to and for the said commissioners appointed by this act, or any five or more of them, or their surveyor for the time being, to cause such sewer or drain to be made new, repaired, or altered, cleansed, or emptied, as the case may require, or so much thereof as shall remain unfinished; the charges and expences whereof shall be paid by the commissioners for putting this act in execution, who shall be reimbursed the same by the clerk or treasurer for the time being to the commissioners of sewers: and in case the said clerk or treasurer to the said commissioners of sewers shall neglect or refuse to pay what shall have been so paid and disbursed, within ten days next after notice thereof shall be left at the dwelling-place or last place of abode of such clerk or treasurer; which notice shall be in writing and signed by the clerk to the commissioners for putting this act in execution, and annexed to the bill containing an account of such charges and expences; it shall and may be lawful to and for the said last-mentioned commissioners, or any five or more of them, and they are hereby authorized and empowered to bring, or cause to be brought, any action or actions in the name of their clerk for the time being, against such clerk or treasurer of the said commissioners of sewers for the time being, for the recovery of such sum or sums of money as they shall have so expended for the purposes aforesaid; in which action or actions no essoin, protection or wager of law, or more than one imparlance, shall be allowed.

Penalty on
laying ashes,
&c. in the
streets.

XXVI. And be it further enacted by the authority aforesaid, That no person or persons whatsoever shall throw, cast, or lay, or cause, or permit, or suffer, to be thrown, cast, or laid, any ashes, dust, dirt, soil, or other filth whatsoever, before
any

any dwelling-house, shop, stable, building, or wall, in any of the streets or lanes within the district comprized in this act; but shall keep, or cause the same to be kept in their respective houses or yards, until such time as the person or persons contracted with or employed to carry away such ashes, dust, dirt, filth, or soil, do come by or near their houses, doors, or places where they dwell, with a cart or carts, or other conveniencies, for carrying away the same; upon pain of forfeiting, for the first offence, the sum of five shillings; for the second offence, the sum of ten shillings; and for the third and every other offence, the sum of twenty shillings.

XXVII. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the said second *Monday* next after the passing of this act, set out, leave, or lay, any cart, dray, waggon, or other carriage, wheels, timber, stones, or other materials, matters, or things, which may occasion any annoyance, nuisance, or obstruction whatsoever, in the said streets or lanes, or any of them, so as to obstruct, incommode, or endanger, any person or persons, carriage or carriages whatsoever, passing thereon; or if any cart, waggon, or other carriage, shall be suffered to stand in any of the said streets or lanes aforesaid longer than is needful and proper for the necessary loading or unloading thereof respectively; or if any such cart, dray, or other carriage, shall be placed or set across any part of the said streets or places within the said district, or any of them, for the purposes of loading or unloading the same; it shall and may be lawful in any of such cases for the said commissioners, or any five or more of them, either at any meeting in pursuance of this act, or without any such meeting, to cause the said carts, waggons, or other carriages, together with the horse or horses, and loading and loadings, belonging thereto, and such other matters and things respectively making or occasioning such annoyance, nuisance, or obstruction, to be removed, taken, carried away, and deposited, in such place or places as the said commissioners, or any five or more of them, shall direct or appoint; there to remain until the offender or offenders shall have paid and discharged all costs, charges, and expences, attending the carrying away and depositing the same as aforesaid, as also a sum not exceeding forty shillings for each such offence.

XXVIII. And be it further enacted by the authority aforesaid, That if any person or persons shall run, drive, draw, or cause to be run, driven, or drawn, on any part of the foot pavements of the said streets or lanes, or either of them, any wheel or wheels, sledge, wheel-barrow, or any carriage whatsoever, such person or persons shall forfeit, for the first offence, the sum of ten shillings; for the second offence, the sum of twenty shillings; and for the third and every other offence, the sum of forty shillings.

XXIX. Provided always, and be it further enacted by the authority aforesaid, That it shall be lawful for any person or persons

Penalty on
obstructing
the streets, &c.
by carriages,
timber, &c.

Penalty on
driving wheel-
barrows, &c.
on foot pave-
ments.

Hords, &c.
may be made
for building
persons

and repairing,
with leave.

persons to erect or set up, or cause to be erected or set up, in the said streets or lanes, any inclosure, posts, bars, or rails, or other matters or things for the purpose of making mortar, and depositing bricks, lime, or other materials, for building or repairing any houses, buildings, or other works; every such person or persons first obtaining leave under the hand of the surveyor or clerk for the time being to the said commissioners, for those purposes respectively, which he is hereby impowered to give by their permission, signed by three or more of them: but if any person or persons shall erect or set up, or cause to be erected and set up, any such inclosures, posts, bars, or rails, or any other matter or thing, for the purposes aforesaid, without such leave first had and obtained; every such person shall, for every such offence, forfeit and pay a sum not exceeding twenty shillings for every hour such inclosure, matter or thing as aforesaid, shall remain and continue.

Foot pave-
ments to be
swept every
day, except
Sundays.

XXX. And be it further enacted by the authority aforesaid, That all and every person and persons inhabiting within the said streets and lanes shall, from and after the second *Monday* next after the passing of this act, sweep and clean, or cause to be swept and cleansed, the foot-paths before their respective houses, buildings, and walls, once in every day between the hours of six and nine in the forenoon (*Sundays* excepted) upon pain of forfeiting five shillings for every neglect therein.

Names of
streets, &c. to
be fixed on
the corner of
the houses.

XXXI. And be it further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, may order and direct the houses within the said streets and lanes, or any of them, to be numbered with figures placed or painted on the doors thereof, or on such other part of the said houses respectively as they the said commissioners, or any five or more of them, shall think proper; and may also order and direct to be engraved, painted, or otherwise described, on a conspicuous part of some house or other building at or near the end or corner of each street or lane within the said district comprized in this act respectively, the name by which such respective street or lane so adjoining is usually or properly called or known: and if any person or persons shall wilfully or maliciously destroy, injure, obliterate, or deface, any such number, figure, name, or description, or any part thereof, or cause or procure the same to be done, and shall be convicted thereof by his or their own confession, or by the oath of one or more credible witness or witnesses, before one or more justice or justices of the peace acting in or for the county or place where such offence shall be committed; every such person so offending shall, for every such offence, forfeit and pay the sum of forty shillings.

Signs, &c. to
be regulated.

XXXII. And be it further enacted by the authority aforesaid, That from and after the said second *Monday* next after the passing of this act, the said commissioners, or any five or more of them, shall cause all signs, which then or at anytime after shall be placed or hung in any part of the said streets or lanes, to be fixed or placed on the fronts of such houses respectively where-
unto

unto the same shall belong; and also shall and may cause all sign irons, posts, boards, spouts, gutters, pent-houses, or other things, occasioning any obstruction or annoyance in the said streets or lanes, to be removed or altered, in such manner as the said commissioners, or any five or more of them, shall think most proper and convenient; and that for the future, all signs, boards, spouts, or gutters, shall be placed or fixed on the fronts of the houses, shops, warehouses, or buildings, whereunto they respectively belong, as the said commissioners, or any five or more of them, shall direct, and not otherwise: and if any person or persons shall at any time hereafter hang, place, erect, or build any sign, sign post or iron, board, spout, or gutter, or cause the same to be done, in any other manner than as aforesaid, or shall in any manner occasion any incroachment or annoyance in the said streets or lanes; every such person shall, for every such offence, forfeit and pay the sum of five pounds.

XXXIII. Provided always, and be it further enacted by the authority aforesaid, That if any, or any part of any, such sign, sign iron, or post, board, gutter, spout, pent-house, or other projection, shall remain unused after the alteration made thereto as before directed, the same shall be returned to, and be the property of, the person to whom the same belonged before such removal or alteration.

Signs, &c. unused, to be returned.

XXXIV. *And whereas the said streets and lanes are, in some parts thereof, greatly obstructed, and made dangerous to foot passengers, by steps being brought out from houses, steps, and doors, going down into cellars, vaults, and other places, and by shew-glasses, shew-boards, and other matters or things projecting from shops or houses over and beyond the area belonging to such houses, or into the footways;* be it therefore enacted by the authority aforesaid, That from and after the said second Monday after the passing of this act, all such steps projecting into the footways of the said streets and lanes, and all steps and doors going down out of the footways into any cellars, vaults, or other places, belonging to any house, shop, warehouse, or tenement, as likewise all shew-glasses or shew-boards projecting over and beyond the areas or into the footways, and all and every other material, matter, or thing, belonging to any house, warehouse, shop, cellar, or other building, which do or shall cause or occasion any nuisance, annoyance, incroachment, or obstruction, in the said streets and lanes, or any of them (either in the foot or carriage-way thereof) shall be, at the expence of the said commissioners, from time to time, removed, fixed, placed, or altered, in such manner and form, as shall be approved of by the said commissioners, or any five or more of them, or their surveyor, by their direction.

Steps, &c. projecting too far, to be removed.

XXXV. *And, for defraying the charges and expences attending the execution of the several powers by this act granted,* be it further enacted by the authority aforesaid, That from and after the passing of this act, a rate or assessment (over and above all rates and assessments now payable) shall once in every year, or oftener, if it shall be thought needful by the said commissioners, or any

Additional rate.

nine

nine or more of them, be made, laid, and assessed, by the said commissioners, or any nine or more of them, upon all and every person and persons who do or shall inhabit, hold, or occupy, any land, house, shop, warehouse, cellar, vault, or other tenement, within the said streets or lanes comprized in this act; which rate or assessment shall be made at or after the rate of nine pence in the pound, for every year, of the yearly rent or yearly value of such lands, houses, shops, warehouses, cellars, vaults, or other tenements respectively.

Rates how to
be collected.

Manner of
recovery.

XXXVI. And it is hereby further enacted, That the said several rates so to be made or assessed under this act, shall be collected half-yearly by the clerk of the said commissioners for the time being, or such other person and persons as the said commissioners, or any five or more of them, shall appoint to collect the same: and if any person or persons shall refuse, neglect, or omit, to pay the sum or sums of money at which he, she, or they, shall be so rated or assessed, for the space of ten days after personal demand made thereof, or demand in writing left at the place of abode or occupation of such person or persons; then, and in every such case, it shall and may be lawful to and for the said clerk, or other person or persons so to be appointed collector or collectors, and he and they is and are hereby authorized and required to levy the same by distress and sale of the goods and chattles of such person or persons so neglecting, refusing, or omitting to pay the same: and in case no such goods or chattles can be found to be so distrained, or in case such goods and chattles shall be locked up or secured, or removed from the said clerk, or other collector or collectors, so that he or they cannot distrain the same; then, and in either of the said cases, upon information thereof given to any two justices of the peace for the said county or place, it shall and may be lawful for such justices, and they are hereby required to commit the person or persons so assessed, and refusing or neglecting to pay the said rates, to the common gaol for the county or place where such person or persons shall reside or shall be found, there to remain without bail or mainprize for any time not exceeding the space of one month, or until the payment of such rate or assessment, and reasonable charges occasioned by the non-payment thereof.

Where houses
are let out in
tenements,
owners are to
be assessed.

XXXVII. *And whereas many houses within the said streets and lanes are by the several owners and proprietors thereof let out in lodgings or tenements to divers tenants, whereby it will be difficult to recover such rates and assessments when made; for remedy whereof,* be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, from time to time, and at all times when they meet to make a rate in pursuance of this act, to rate and assess the owner or owners of such houses or tenements as shall be let to or occupied by two or more tenants; which rate and assessment shall be paid by one or more of the tenants or occupiers of any part or parts of such houses; and in case any occupier or occupiers of any part of such houses or tenements shall

shall refuse to pay the same, then the said rate and assessment shall be levied by distress and sale of the goods of him, her, or them, so refusing to pay the same: and such occupier or occupiers of such tenements respectively is and are hereby required and authorized to pay such sum and sums of money as shall be so rated or assessed on the owner or owners of such houses, in pursuance of this act, and to deduct the same out of the rent thereof; and the owner or owners, proprietor or proprietors thereof, are hereby required to allow such deductions and payments upon the receipt of the residue of their rent; and every such tenant, paying such rate or rates, assessment or assessments, shall be acquitted and discharged for so much money as the said rate or rates, assessment or assessments, shall amount unto, as if the same had been actually paid to such person or persons to whom his, her, or their rent should have been or shall be due and payable.

XXXVI. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful for the said commissioners, or any five or more of them, from time to time, to compound with the owner or owners, proprietor or proprietors, of any such houses, or any other houses within the said streets and lanes, the annual rent or value whereof shall be under ten pounds, for the rate by this act authorized to be laid upon such houses, so as in such composition there be not remitted to any such owner or owners, proprietor or proprietors respectively, more than one third of the rate by this act laid upon such houses respectively.

Rates for houses under 10l. per ann. may be compounded for.

XXXVII. And be it further enacted by the authority aforesaid, That in case it shall so happen that any of the lands, houses, shops, warehouses, cellars, vaults, or other tenements, or any part or parts thereof, within the said streets and lanes, or any of them, shall, at any time, from and after the making of the said rate or rates, assessment or assessments, be empty, untenanted, or unoccupied; that then, and in every such case, one half of the said rate or rates, assessment or assessments; or one half of such other rates as may be assessed by virtue of this act, shall be paid by the owners or proprietors of such lands, houses, shops, warehouses, cellars, vaults, or other tenements; and in case of non-payment thereof, such lands, houses, shops, warehouses, vaults, cellars, or other tenements, shall be and the same are hereby made a security for, and chargeable with, such arrears.

Where houses shall be unoccupied, owners to be only charged one half of the rates;

and the premises remain a security.

XXXVIII. And it is hereby further enacted, That it shall and may be lawful to and for the said commissioners, or any five or more of them, and they are hereby required, at such times as the rate hereby directed shall be made, to rate all dead walls and void spaces of ground adjoining to the said streets and lanes, at such rate as the said commissioners, or any five or more of them, shall judge reasonable, for every yard running measure of such dead walls and void spaces of ground, not exceeding the rate of two shillings and six pence per yard.

Dead walls, and void spaces of ground, may be rated.

XXXIX. And, to the end the said rates may be more effectually collected

Tenants and occupiers to pay the rates.

collected and received, be it further enacted, That all and every tenant or tenants, occupier or occupiers, of lands, houses, shops, warehouses, wharfs, cellars, vaults, or other tenements, are and shall be liable to pay the whole of such rates, when no composition shall have been made as aforesaid, to the collector or collectors to be appointed as herein after directed.

Occupiers
quitting,
without pay-
ing rates,
may be fol-
lowed.

XL. And be it further enacted by the authority aforesaid, That when any person or persons, who hath or have been rated and assessed by virtue of this act, shall quit his, her, or their dwelling-house, warehouse, wharf, shop, vault, cellar, or tenement, whereupon such rate or assessment has been made, before he, she, or they, shall have paid the same, and shall afterwards refuse to pay the same, when due and demanded by the person or persons authorized and appointed to collect and receive the same; that then, and in every such case, it shall and may be lawful to and for the said collector or collectors, and every or any of them, by warrant under the hands and seals of any two or more justices of the peace acting in and for the said county or place (which warrant the said justices are hereby authorized and required to grant) to enter into any place within their respective jurisdictions, or out of the limits thereof; such warrant being first backed or countersigned by some magistrate in the county, city, or liberty, where the distress is to be made; and to distrain the goods and chattles of such person or persons so neglecting or refusing, and the same to sell, rendering the overplus (if any such shall be) upon demand, to the owner of such goods and chattles, after deducting the reasonable charges and expences of such distress and sale.

Agreement
between land-
lord and ten-
nant, touch-
ing the pav-
ing, &c. not
vacated.

XLI. Provided always, and be it further enacted by the authority aforesaid, That nothing in this act contained shall be deemed or taken to make void any contract, covenant, or agreement, between landlord and tenant, touching or concerning the paving, lighting, or cleansing, the said streets and lanes, or any part of them, or either of them; but that every person who is now, by virtue of any such contract or agreement, obliged to pave or keep in repair any part of the said streets or lanes, or any of them, shall, in lieu thereof, be obliged to pay the rates hereby directed to be made and assessed, or so much thereof as shall by the said commissioners, or any five or more of them, be deemed just and reasonable, according to the true meaning of such contract, covenant, or agreement, for and during such time as such contract, covenant, or agreement, shall remain in force: and in case any dispute shall arise concerning such contract, covenant, or agreement, the said commissioners, or any five or more of them, shall have power, and they are hereby required to hear and finally determine the same.

Pavements
liable to be
repaired by
any parish,
&c. to be re-
paired at their
expence by

XLII. And be it further enacted by the authority aforesaid, That where any part or parts of the pavements of the said streets or lanes hath or have been accustomed or ought to be paved and repaired by any particular parish or parishes, bodies politick or corporate, and not by the owners or occupiers of the houses or other buildings adjoining to the pavement of the said streets

streets and lanes respectively, the same shall be paved and repaired at the expence of the respective parish or parishes, bodies politick or corporate, by the pavior or paviers contracting with, or employed by, the said commissioners. the commissioners paviers,

XLIII. Provided always, That it shall and may be lawful for the said commissioners, or any five or more of them, from time to time, to compound and agree for the same, with any parish or parishes, or bodies politick or corporate, for a certain sum of money, by the foot or other measure, as the said commissioners, or any five or more of them, shall think reasonable. or the commissioners may compound with such parishes.

XLIV. *And whereas the money to be collected by the said rate will not be sufficient for the purposes of this act;* be it further enacted by the authority aforesaid, That the said commissioners under this act, or any five or more of them, or such person and persons as they shall nominate and appoint for that purpose, shall and may, and they are hereby authorized and empowered to erect and set up, or cause to be erected and set up, a gate or turnpike, in, upon, and across, the said high street called *Holywell Street*, between the south side of *Shoreditch Church*, and the north side of the road leading to *Bethnal Green*; and also to erect or provide a toll-house, in such manner as the said commissioners, or any five or more of them, shall think proper; and to receive and take the sum of one halfpenny, before any horse, mare, gelding, or mule, whether drawing or not drawing, shall be permitted to pass through such gate or turnpike, which shall be demanded and taken as a toll or duty; and the money so to be received and collected, shall be vested in the said commissioners for the purposes of this act.

XLV. Provided always, That no person having paid the said toll, for any horse, mare, gelding, or mule, and producing a note or ticket denoting the payment thereof, (which note or ticket the collector of the said tolls is hereby required to give *gratis* upon receipt of the said tolls) shall be liable to pay the same toll again, for the same horse, mare, gelding, or mule, the same day, to be computed from twelve of the clock at night to twelve of the clock in the succeeding night. Tolls to be paid but once a day.

XLVI. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for such person or persons as the said commissioners, or any five or more of them, shall, from time to time, nominate and appoint to demand and take the said tolls hereby granted and made payable, to levy the same upon any person or persons who shall, after demand made thereof, neglect or refuse to pay the same, by distress of any horse, mare, gelding, or mule, upon which such tolls are by this act imposed, or by distress of any other of the goods or chattles of such person or persons who ought to pay the same, and to detain and keep the said cattle, goods, or chattles, until such tolls, with the reasonable charges of distraining and keeping the same, shall be paid; and it shall and may be lawful to and for such person and persons so distraining, after the space of five days next after such distress so taken, to sell the horse, mare, gelding, Tolls may be levied by distress and sale. Distress may be sold after 5 days.

gelding, or mule, or goods, so distrained, returning the overplus (if any) upon demand, to the owner thereof, after such tolls, and the reasonable charges of such distress and sale, shall be deducted.

Penalty on
evading the
tolls.

XLVII. And be it further enacted by the authority aforesaid, That if any person shall forcibly or wilfully evade the payment of the toll by this act granted, by riding or driving any horse, mare, gelding, or mule, through the said gate or turnpike, without paying such toll; such person shall, for every such offence, forfeit and pay the sum of forty shillings, to be recovered, levied, and applied, as any penalty or forfeiture is by this act directed to be recovered, levied, and applied.

Commissioners may erect
gates across
New Inn
Yard, King
John's Court,
Cath's Alley,
and Dirty
Lane.

XLVIII. *And whereas there are certain ways or passages called New Inn Yard, King John's Court, Cath's Alley, and Dirty Lane, all leading into Holywell Street aforesaid, by passing through which, the payment of the toll hereby granted may be evaded, and the purposes of this act frustrated;* be it therefore further enacted by the authority aforesaid, That the said commissioners, or any five or more of them, shall have full power and authority to erect any gate or gates in or across any or all the said passages or places called *New Inn Yard, King John's Court, Cath's Alley, and Dirty Lane*, in such manner as they shall think proper, so as to prevent any horse from passing through the same.

Foot passages
to be left on
each side, &c.

XLIX. Provided always, That a passage shall be left open for persons on foot in each of the said ways or passages; and also that the inhabitants of each of the said places shall have permission to pass, from time to time, through such gate as shall be erected in the yard, court, alley, lane, or place, in which they shall respectively reside, with their cattle and carriages, without paying any thing for passing through the same.

For borrow-
ing money.

L. *And whereas the money to be collected and received by virtue of this act will be insufficient for the speedy carrying the several purposes hereby intended into execution;* be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons to contribute, advance, and pay, into the hands of the said commissioners, or any nine or more of them, for the uses and purposes in this act mentioned, any sum or sums of money not exceeding in the whole the sum of fourteen thousand pounds, for the absolute purchase of one or more annuity or annuities, to be paid and payable during the full term of the natural life of such contributor respectively, or the natural life of such other person or persons as shall be nominated by or on the behalf of such contributor or contributors respectively, at the time of payment of his, her, or their respective contribution-money, so as the said annuity or annuities do not exceed the rate of nine pounds by the hundred, and so in proportion for any greater or less sum to be paid as aforesaid, and so as the said annuities to be purchased in pursuance of this act, do not at any one time exceed in the whole the sum of one thousand two hundred and sixty pounds.

LI. And be it further enacted, That all and every the annuity

nuity or annuities so to be purchased under and by virtue of this act, shall be and are hereby charged upon, and shall be paid and payable, from time to time, out of the monies arising by the tolls, rates, and assessments aforesaid; and all and every the contributor and contributors, upon the credit of this act, duly paying the consideration or purchase-money at the rate aforesaid, for any such annuity or annuities as aforesaid, or his, her, or their respective executors, administrators, or assigns, shall have, receive, and enjoy, and be intitled by virtue of this act to have, receive, and enjoy, the respective annuity or annuities so to be purchased out of the said tolls, rates, or assessments, by this act appointed for the payment thereof as aforesaid, during the term of the natural life of the person to be nominated by each such purchaser or contributor as before-mentioned; and that all and every such purchaser and purchasers, and their executors, administrators, or assigns, shall have good, sure, absolute, and indefeasible estates and interests in the annuity or annuities so by him, her, or them respectively to be purchased, according to the tenor and true meaning of this act; and that none of the said annuities shall now or hereafter be subject or liable to the tax charged or to be charged upon land by authority of parliament; and that every contributor upon this act for the purchase of any such annuity or annuities as aforesaid, his, her, or their assigns, upon payment of the consideration or purchase-money, shall have a receipt or receipts for the same, and also an order on parchment (which may be made without any stamp) for payment of the said annuity or annuities, for and during the natural life of the person who shall be so nominated as aforesaid, by quarterly payments; which order shall be signed by the said commissioners, or any nine or more of them; and after signing thereof, the same shall be firm, valid, and of good effect in the law, according to the true purport and meaning of this act.

Annuities charged upon the rates,

and deemed indefeasible estates,

not chargeable to the land tax.

Receipts and orders for payment to be signed, &c.

LII. And be it further enacted, That it shall and may be lawful to and for any purchaser or purchasers of any such annuity or annuities as aforesaid, and his, her, or their executors, administrators, or assigns, at any time or times, by writing or writings under his, her, or their hand or hands, to assign such annuity or annuities, or any part thereof, or interest thereon, to any person or persons whatsoever, and so *toties quoties*; and a memorandum or entry of all such orders and assignments shall be made in the book to be kept as hereafter mentioned, at the charge of the said commissioners; for which entry or memorandum, two shillings and six pence shall be paid, and no more; and no such assignment shall be deemed valid, unless such memorandum or entry shall be first made as aforesaid.

Annuities may be assigned.

LIII. Provided always, That as such annuitant or annuitants shall die off, and such rates or assessments can be lowered and reduced, and some part of the said tolls can be taken off, the same shall be so done from time to time, in such manner and proportions as the justices of the peace for the said county of

As annuitants die, the rates to be lowered.

Middlesex, at their general or quarter session assembled, shall order and direct.

Proviso.

LIV. Provided always, That until the said turnpike so to be erected shall be taken away, and the passage of the said high street laid open and freed from toll, the said rates and assessments shall not be reduced to less than six pence in the pound.

Monies raised
vested in com-
missioners.

LV. And be it further enacted by the authority aforesaid, That all monies raised or collected by virtue, or by means, or under the authority, of this act, shall be, and the same are hereby vested in the said commissioners, and shall be applied for the purposes of this act, and to or for no other use or purpose whatsoever.

Charges of
this act how
to be paid.

LVI. Provided always, and be it further enacted by the authority aforesaid, That the charges and expences of procuring and passing this act, shall be paid out of the first monies which shall be raised by virtue of this act.

LVII. *And whereas the entrance into the said street called Holywell Street, through Holywell Lane, is greatly obstructed by a house at the north east corner, which projects so far into the said high street called Holywell Street, as frequently to cause carriages to be overturned: and whereas the street or lane called Hog Lane, which is another avenue into the said high street, is very narrow and inconvenient, occasioned by two houses and a small yard projecting into the said lane on the north side thereof, which houses and yard are now in the occupation of John Latham, John Williams, and George Spencer: and whereas the passage of the said high street is greatly obstructed by a certain house belonging to the prebend of Hoxton precinct, and let or leased to Richard Rose, a carpenter, standing upon a small detached piece of ground at the north east corner of the said high street, near the church: and whereas the said entrance of the road from Kingsland, into the said high street called Holywell Street, is very narrow and dangerous; and it would be greatly for the benefit of the publick, if the houses from the corner of the high street, on the north east side, as far as a certain house known by the sign of The Cherry Tree, were taken down, and rebuilt further back; and also that the other houses and premises, before described in the said high street and Hog Lane, were removed so far back as to render the several passages safe and commodious; be it further*

Houses neces-
sary to be
pulled down,
may be pur-
chased by the
commissioners,

enacted by the authority aforesaid, That the said commissioners, or any nine or more of them, shall have full power and authority to treat and agree with the owners and occupiers of, and all other persons interested in, such of the said houses and premises as the said commissioners, or any nine or more of them, shall think necessary to be purchased for opening the said streets and passages, and to purchase and become possessed of the same; and upon payment of such sum or sums of money as shall be agreed upon for such purchases, to cause such houses and buildings, or so much thereof as shall be necessary, to be pulled down, and such grounds, or so much thereof as shall be necessary, to be laid into the said streets, ways, and passages, for the widening and improving the same, and

to pay the purchase-money, and all expences attending such purchases, out of any monies arising by virtue of this act.

LVIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for all bodies politick, corporate, or collegiate, corporations aggregate or sole, trustees, and feoffees in trust, guardians, and committees for lunaticks and ideots, executors, administrators, and guardians whatsoever, not only for and on behalf of themselves, their heirs, and successors, but also for and on behalf of their cestuique trusts, whether infants or issue unborn, lunaticks, ideots, femes-covert, or other persons whatsoever, and to and for all femes-covert who are or shall be seised in their own right, and to and for all and every person and persons whomsoever, who are or shall be seised or possessed of, or interested in, any of the said lands, tenements, or hereditaments, to sell and convey all or any of the said lands, tenements, or hereditaments, estates, and interests, or any part thereof, to the said commissioners, or any nine or more of them; and that all contracts, agreements, bargains, sales, and conveyances, which shall be made by such persons as aforesaid, shall be good and valid in law to all intents and purposes, not only to convey the estate and interest of the person and persons conveying, but also to convey all right, title, interest, use, property, claim, and demand whatsoever, of their several and respective cestuique trusts, whether infants or issue unborn, lunaticks, ideots, femes-covert, or other persons whomsoever, and all claiming, or to claim, by, from, or under them; any law, statute, usage, or any other matter or thing whatsoever, to the contrary thereof in any wise notwithstanding: and all such persons so conveying as aforesaid shall be, and are hereby, indemnified for what they shall do by virtue or in pursuance of this act, notwithstanding any omission or mistake of matter of form whatsoever: and if it shall happen that any person or persons, bodies politick, corporate, or collegiate, or other person or persons seised or possessed of, or interested in, any such lands, tenements, or hereditaments, as aforesaid, shall refuse to treat or agree for the sale and conveyance of their respective estates and interests therein, with the said commissioners, or with any person or persons authorized by them, or shall not produce and evince a clear title to the premises they are in possession of, or to the interest they claim, to the satisfaction of the said commissioners, or of the person or persons so authorized by them; then, and in every such case, it shall and may be lawful to and for the said commissioners, and they are hereby authorized and impowered to issue a warrant or warrants, precept or precepts, directed to the sheriff of the county of *Middlesex*, who is hereby authorized, directed, and required accordingly to impanel, summon, and return, a competent number of substantial and disinterested persons, qualified to serve on juries, not less than forty eight, nor more than seventy two; and out of such persons so impanelled, summoned, and returned, a jury of twelve men shall be drawn

Commissioners may contract for the sale of lands.

Persons refusing to treat,

Commissioners to issue a warrant to the sheriff, &c. to summon a jury,

who are to be drawn as the act 3 Geo. 2. directs.

by some person to be by the said commissioners appointed, in such manner as juries for trial of issues joined in his Majesty's courts at *Westminster*, by an act made in the third year of the reign of King George the Second, intituled, *An act for the better regulation of juries*, are directed to be drawn; which persons so to be impanelled, summoned, and returned as aforesaid, are hereby required to come and appear before the said commissioners, or any five or more of them, at such time and place as in such warrant or warrants, precept or precepts, shall be directed and appointed; and all parties concerned shall and may have their lawful challenges against any of the said jurymen, but shall not be at liberty to challenge the array; and the said commissioners, or any five or more of them, are hereby authorized and empowered, by precept or precepts, from time to time, as occasion shall require, to call before them all and every person and persons whomsoever, who shall be thought proper or necessary to be examined as a witness or witnesses before them, on their oath or oaths, touching and concerning the premises; and the said commissioners, or any five or more of them, if they think fit, shall and may likewise authorize the said jury to view the place or places in question, in such manner as they shall direct; and the said commissioners, or any five or more of them, shall have power to adjourn such meeting, from day to day, as occasion shall require, and to command such jury, witnesses, and parties, to attend, until all such affairs for which they were summoned shall be concluded; and the said jury, upon their oaths (which oaths, as also the oaths to such person or persons as shall be called upon to give evidence, the said commissioners, or any five or more of them, are hereby empowered to administer) shall enquire of and assess the value of such lands, tenements, and hereditaments, and of the proportionable value of the respective estates and interests claimed therein, or in any part thereof; and the said commissioners, or any five or more of them, shall and may give judgement, that the sum or sums of money so to be assessed be the value of such lands, tenements, or hereditaments, and of such respective estates and interests therein; which said verdict or verdicts, and the said judgement thereupon (notice in writing being given to the person or persons interested, or claiming so to be, at least fourteen days before the time of the meeting of the said commissioners and jury, by leaving such notice at the dwelling-house of such person or persons, or at his, her, or their usual place or places of abode, or with some tenant or occupier of some of the said lands, tenements, or hereditaments, intended to be valued and assessed, in case such party cannot otherwise be found out to be served with such notice) shall be binding and conclusive as to value, as well against the King's majesty, his heirs, and successors, as against every other person or persons, bodies politick and corporate, and against all other persons whomsoever, claiming any estate, right, title, trust, use, or interest, in, to, or out of, the said lands,

Jurors may be challenged.

Witnesses may be examined upon oath, &c.

Jury to assess the damages.

Commissioners to give final judgement thereon.

Previous notice to be given to parties interested.

lands, tenements, or hereditaments, and premisses, either in possession, reversion, remainder, or expectancy.

LIX. And be it further enacted and declared, That upon payment of the sum or sums of money so to be awarded or adjudged, to the person or persons to whom the same shall be so awarded, for the purchase of the said lands, tenements, or hereditaments, or for the purchase of any estate or interest therein, such person or persons shall make and execute, or procure to be made and executed, good, valid, and legal conveyances, assignments, and assurances, in the law, to the said commissioners, of the said lands, tenements, and hereditaments, or of such estate or interest for which such sum or sums of money shall be so awarded; and shall procure all necessary parties to execute such conveyances, assignments, and assurances, and shall do all acts, matters, and things necessary to make good, clear, and perfect title to the said commissioners: and in case the person or persons to whom such sum or sums shall be awarded as aforesaid, shall not be able to evince their title to the premisses to the satisfaction of the said commissioners, or any nine or more of them, and to make, or procure to be made, good, valid, and legal conveyances thereof, or shall refuse so to do, being thereto required, and the sum or sums so assessed and awarded being produced and tendered to be paid to him, her, or them, on their making such title, and executing, or procuring to be executed, such conveyances, assignments, or assurances, as aforesaid; or in case such person or persons, to whom such sum or sums of money shall be so awarded, cannot be found; then, and in every such case, it shall and may be lawful to and for the said commissioners, or any nine or more of them, to order the said sum or sums of money, so assessed and awarded as the value of, and purchase-money for, the said lands, tenements, and hereditaments, as aforesaid, to be paid into the bank of *England*, in the name, and with the privity, of the accountant general of the high court of *Chancery*, to be placed to his account to the credit of the parties interested in the said lands, tenements, or hereditaments (describing them) subject to the order, controul, and disposition, of the said court of *Chancery*; which said court of *Chancery*, on the application of any person or persons making claim to such sum, or any part thereof, by motion or petition, shall be, and is hereby impowered, in a summary way of proceeding, or otherwise, as to the same court shall seem meet, to order distribution thereof according to the respective estate or estates, title, or interest, of the person or persons making claim thereunto, of, in, or to, such lands, tenements, and hereditaments, to be made appear to, and to be declared by, the said court, and according to the value thereof assessed as aforesaid, and to make such other order in the premisses as to the said court shall seem just and reasonable; and the cashier or cashiers of the bank of *England*, who shall receive such sum and sums, is and are hereby required to give a receipt or receipts for such sum or sums, mentioning and specifying for what premisses,

Upon payment of the value assessed, premisses to be conveyed to the commissioners.

Where a good title cannot be made, or legal conveyance executed, &c.

or the parties are not to be found, &c.

misses, and for whose use, the same is or are received, to such person as pay any such sum or sums into the bank of *England*, as aforesaid.

Verdicts, &c.
to be registered.

LX. And be it further enacted, That a memorial of all such verdicts, judgements, sentences, decrees, and orders, of the said commissioners and juries, as relate to or concern any such lands, tenements, or hereditaments, so to be purchased, shall be entered in the office appointed for registering deeds, conveyances, wills, and other incumbrances within the county of *Midlesex*; and the said verdicts, judgements, sentences, decrees, and orders, shall be deemed and taken to be records to all intents and purposes whatsoever; and the same, or true copies thereof, shall be deemed and taken to be good and effectual evidence and proof in any court or courts of law or equity whatsoever; and all persons shall and may have recourse to the same *gratis*, and take copies thereof, paying for every copy not exceeding two hundred words, six pence, and so proportionably for any greater or lesser number of words; and immediately after such verdicts, judgements, sentences, decrees, and orders, of the said commissioners and juries, and payment into the bank as aforesaid, all the estate, right, title, interest, use, trust, property, claim, and demand, in law and equity, of the person or persons to whose credit such money shall be paid, in, to, and out of, the said lands, tenements, hereditaments, and premises, shall vest in the said commissioners, and they shall be deemed in law to be in the actual possession thereof to all intents and purposes whatsoever, as fully and effectually, as if every person having any estate in the premises had actually conveyed the same by lease and release, bargain and sale inrolled, feoffment with livery and seisin, fine and recovery, or any other conveyance whatsoever; and such payment shall not only bar all right, title, interest, claim, and demand, of the person or persons to whose credit such payment shall have been made, but also shall extend to and be deemed and construed to bar the dower and dowers of the wife or wives of such person or persons, and all estates tail in reversion or remainder, and the issue or issues of such person or persons, and every person claiming under them, as effectually as a fine or recovery would do if levied or suffered by the proper parties in due form of law.

Copies good
evidence.

On such payment,
premisses to vest
in the commissioners.

Commissioners
may invest money in
the publick
funds, &c.

LXI. Provided always, and be it further enacted, That it shall and may be lawful for the said commissioners, or any five or more of them, after such payment into the bank as aforesaid, and before any application in respect thereof to the said court of chancery, at the petition of any person or persons in possession of such lands, tenements, or hereditaments, to place out or invest, or cause to be placed out or invested, such sum or sums of money, or any part thereof, in some of the publick funds, or on government security, at interest, in the name of any person or persons authorized and appointed by the said commissioners for that purpose, in trust to transfer and assign the same to the person or persons to whom the premises belong, on their executing proper conveyances thereof, and in the mean time in trust

trust to pay the interest and dividends arising therefrom to the person or persons who was or were in possession of the said premises at the time of the said payment into the bank.

LXII. Provided also, and be it further enacted, That all and every person or persons, who shall be intitled to recover the mesne profits of the premises against the person or persons in possession, in case the same had not been so conveyed to, or vested in, the said commissioners as aforesaid, shall be intitled to recover the sum or sums to arise from such interest and dividends as aforesaid, by action of debt, or otherwise, against the person or persons who shall receive the same; and the said commissioners, or any seven or more of them, are hereby empowered to make such orders as aforesaid on the bank for the payment of such sum or sums of money, or any part thereof, as shall be necessary, in order to the same being so invested in publick securities; and the said commissioners shall be quieted in the possession of the lands, tenements, and hereditaments, for which such money shall be so paid as aforesaid, and shall not be answerable or accountable in any court of law or equity for the money so deposited and placed out as aforesaid, any otherwise than according to the tenor, purport, and true meaning of this act.

LXIII. Provided always, and be it further enacted, That in case the said sum or sums so assessed by the said jury, and ordered and adjudged by the said commissioners to be paid to the owners, occupiers, and others, for their respective interests in the premises aforesaid, shall not be paid, tendered, or deposited by the said commissioners as herein directed, within six calendar months after the same shall have been so assessed, ordered, and adjudged; then, and in such case, the verdict of the said jury, and the order and adjudication of the said commissioners, shall not be binding upon the said parties; any thing herein contained to the contrary notwithstanding.

LXIV. And be it further enacted by the authority aforesaid, That the principal money arising from the sale of any houses, edifices, lands, tenements, or hereditaments, which shall be purchased for the purposes contained in this act, of any body corporate or collegiate, corporation aggregate or sole, feoffees in trust, guardians, committees, or other trustees, or from any feme covert, shall be paid to such persons as they shall respectively nominate to receive the same, in trust, with all convenient speed then afterwards, to be re-invested in the purchase of other messuages, lands, tenements, and hereditaments, to be conveyed and settled to and upon, and subject to, the like uses, trusts, limitations, remainders, and contingencies, as the houses, edifices, lands, tenements, and hereditaments, which shall be purchased of them respectively by the said commissioners as aforesaid, were respectively settled, limited, or assured, at the time of such purchase, or so many thereof as, at the time of making such conveyances and settlements, shall be existing and capable of taking effect.

LXV. And

Conveyances
by femes-co-
vert inrolled
to be effectual;

and so all
other bar-
gains and
sales for the
purposes of
this act.

Persons hav-
ing any right,
&c. in lands
so purchased,
to enter their
claims within
a limited time
or be debar-
red:

LXV. And be it further enacted, That the conveyance of any such estate or interest of any feme-covert to the said commissioners, or any person or persons in trust for them, by bargain and sale acknowledged by such feme-covert, and to be inrolled in the said office appointed for registering deeds, conveyances, wills, and other incumbrances, within the county of *Middlesex*, within six calendar months after the making thereof, shall as effectually and absolutely convey the estate and interest of such feme-covert in the premises, as any fine or fines, recovery or recoveries, would or could do if levied or suffered thereof in due form of law: and further, that all bargains and sales whatsoever to be made of any such lands, tenements, and hereditaments, as shall be purchased by the said commissioners by virtue of and for the purposes of this act, shall have the force, effect, and operation, in law, to all intents and purposes, which any fine or fines, recovery or recoveries whatsoever, would have if levied or suffered by the bargainer or bargainors, or any person or persons seised of any estate in the premises in trust for or to the use of such bargainer or bargainors in any legal manner or form whatsoever.

LXVI. And be it further enacted, That all and every person and persons whomsoever having any right, title, interest, use, property, claim, or demand whatsoever, whether in possession, reversion, remainder, or expectancy, in, to, or out of, any lands, tenements, or hereditaments, which, by virtue and for the purposes of this act, shall be purchased by, and conveyed or mentioned, or intended to be conveyed to, the said commissioners by any such bargain and sale as aforesaid, shall, within the space of five years, to be computed from the date of the inrolment of such bargain and sale, enter a memorial of such their right, title, interest, use, property, claim, and demand, in a book to be for that purpose prepared and kept by the clerk appointed by the said commissioners; which book such clerk is hereby required to prepare and keep accordingly, and for which entry he shall be intitled to such fee, and no other, as the register of the county of *Middlesex* is by law intitled to for the registry of a memorial containing the same number of words: and all and every person or persons whomsoever not entering such right, claim, and demand, within such time, and in such manner, as aforesaid, or having so entered the same, and not prosecuting such their right, claim, or demand, with effect, within the space of five years, to be computed from the time of such entry, shall be for ever barred of all right, title, use, equity, property, claim, or demand whatsoever, whether in possession, reversion, remainder, or expectancy, in, to, upon, or out of, the said premises, and every part thereof; and the said commissioners, and those claiming by, from, or under them, shall be quieted in the possession of all such lands, tenements, hereditaments, and premises; any law, statute, usage, matter, or thing whatsoever, to the contrary notwithstanding.

LXVII. Pro-

LXVII. Provided nevertheless, and be it further enacted, That any person or persons barred of any right, title, estate, interest, claim, or demand whatsoever, in, to, or out of, the said lands, tenements, and hereditaments, by virtue of this act, shall be at liberty to bring any action or actions of debt for money had and received to his or their use against any person or persons, or the legal representative of any person or persons, who received the purchase-money arising from such sale of the said lands, tenements, hereditaments, and premises aforesaid; and that in every such case the respective plaintiffs, on proof of such title as would have enabled them to recover such lands, tenements or hereditaments, or any part thereof, or any estate or interest in the same, shall recover the said purchase-money, or so much thereof as shall be equivalent to their interest in the said premises, together with such interest as shall be equivalent to the mesne profits of the premises which they should have been intitled to recover in case this act had not been made.

LXVIII. And be it further enacted, That all and every tenant at will, or lessee for a year, or other person or persons in possession of any such lands, tenements, hereditaments, and premises, or any part thereof, which shall be purchased by the said commissioners as aforesaid, and who shall have no greater interest in the premises than as tenant at will, or as lessee by parole for a year, or from year to year, shall, at the expiration of six calendar months after notice in writing left upon the premises, or so soon after as he or they shall be required, peaceably and quietly deliver up the possession of the said premises to the said commissioners, or any person authorized by them, or any five or more of them, to take possession thereof; and in case any such person or persons shall refuse to give such possession, then it shall and may be lawful to and for the said commissioners, or any five or more of them, to issue their precept or precepts to the sheriff of the said county of *Middlesex*, to deliver possession of the premises to such person or persons as shall, in such precept or precepts, be nominated to receive the same; and the same sheriff is hereby required to deliver possession accordingly of the said premises, and to levy such costs as shall accrue from the issuing and execution of such precept or precepts on the person or persons so refusing to give possession as aforesaid, by distress and sale of his, her, or their goods.

LXIX. And be it further enacted, That all and every person and persons who shall have any mortgage or mortgages on such lands, tenements, and hereditaments, now being in possession thereof by virtue of such mortgage or mortgages, shall on the tender of the principal money and interest due thereon, together with six months interest of the said principal money, by the said commissioners, or any five or more of them, or by such person or persons as they shall appoint, immediately assign such mortgage or mortgages to the said commissioners, or any five or more of them, or to such person or persons as they shall appoint, in trust for them; or in case such mortgagee or mortgagees shall have notice in writing from the said commissioners, or any five

But at liberty to recover the purchase money from persons receiving the same.

After purchase, tenants to deliver possession within six months after notice.

On refusing, commissioners to issue a precept to the sheriff to deliver possession.

Mortgagees, on tender of principal and interest, to convey.

or

On refusal,
interest to
cease.

Premises to
vest in the
commissioners.

Monies to be
paid or ten-
dered before
use made of
the premises.

Power to fine
sheriffs, &c.
for not at-
tending.

or more of them, that they will pay off and discharge the principal and interest which shall be due on the said mortgage or mortgages at the end or expiration of six calendar months, to be computed from such notice given; that then, at the end of the said six months, on payment of the principal and interest so due, such mortgagee or mortgagees shall assign his, her, or their interest in the premises to the said commissioners, or such person or persons as they, or any five or more of them, shall appoint, in trust for them; and in case such mortgagee or mortgagees shall refuse to assign as aforesaid on such tender or payment, that then all interest on every such mortgage shall cease and determine.

LXX. And be it further enacted, That upon payment of the principal money and interest due on any mortgage as aforesaid into the bank, at the end of six calendar months from such notice as aforesaid, for the use of the mortgagee or mortgagees, the cashier or cashiers of the bank shall give a receipt or receipts for the said money in like manner as is herein before directed in cases of other payments into the bank; and thereupon all the estate, right, title, interest, use, trust, property, claim, and demand, of the said mortgagee or mortgagees, and of every person or persons in trust for him or them, shall vest in the said commissioners, and they shall be deemed to be in the actual possession of the premises comprized in such mortgage or mortgages to all intents and purposes whatsoever.

LXXI. And be it further enacted, That all sums of money to be paid pursuant to any such agreement or verdict as aforesaid, or on any such mortgage, shall be and are hereby charged and chargeable upon all monies which shall be raised or received for the purposes of this act, and shall be tendered to the party or parties intitled to the same; and in case of refusal to accept the same, shall be paid into the bank of *England* in the names of any person or persons appointed by the said commissioners, or any five or more of them, for that purpose, in trust for such person or persons as shall be intitled to receive the same before the said commissioners shall proceed to pull down any house or houses, or other erections or buildings, or to use the ground for any of the purposes of this act.

LXXII. And be it further enacted, That the said commissioners, or any five or more of them, shall have power, from time to time, to impose any reasonable fine, not exceeding the sum of ten pounds, on the said sheriff, or his deputy or deputies, bailiffs or agents respectively, making default in the premises; and on any of the persons who shall be summoned and returned on any such jury or juries who shall not appear, or who shall refuse to be sworn on the said jury or juries, or being so sworn shall not give his or their verdict; and also on any person or persons who shall be summoned to give evidence touching any of the matters aforesaid, and shall not attend, or shall refuse to be sworn, or who being sworn shall refuse to give his, her, or their evidence; and on any other person or persons who shall in other matter wilfully neglect his, her, or their duty in the pre-
misses,

misses, contrary to the true intent and meaning of this act; and, from time to time, to levy such fine or fines by order of the said commissioners, or any five or more of them, by distress and sale of the offender's goods, together with the reasonable charges of every such distress and sale, returning the overplus (if any) to the owner; and all such fines shall be applied for the purposes of this act.

LXXIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any nine or more of them, to let, sell, or dispose of, so much or such parts of such houses, lands, and premises, as shall not be necessary for the widening of the said streets or passages, for the best price that can be gotten for the same, applying the money arising thereby for the purposes of this act. Commissioners may sell lands.

LXXIV. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any seven or more of them, from time to time, to compound and agree with any person or persons against whom the said commissioners, or any three or more of them, shall bring, or cause to be brought, any action or actions, suit or suits, for any penalty or penalties contained in any contract or contracts hereafter to be entered into, on account of any breach or non-performance of any such contract or contracts, for such sum or sums of money as they, or any seven or more of them, shall think proper; and also to mitigate, compound, or lessen, any other the forfeitures incurred under this act, so as the sums so compounded and agreed for be not less than the injury or damage sustained by the breach or non-performance of such contract or contracts, and all the costs, charges, and expences, which shall be occasioned thereby, and so as the mitigation of the other forfeitures as aforesaid, do not extend to remit above one moiety of the said forfeitures respectively. Penalties may be mitigated.

LXXV. Provided always, and be it further enacted by the authority aforesaid, That if any person shall think himself or herself aggrieved by any thing done in pursuance of this act, and for which no particular method of relief hath been already appointed, such person may appeal to the justices of the peace at any general or quarter sessions of the peace to be held for the county of *Middlesex* or city of *London*, within three calendar months after the cause of complaint shall have arisen, such appellant first giving, or causing to be given, fourteen days notice at the least, in writing, of his or her intention to bring such appeal, and of the matter thereof, to the clerk to the said commissioners; and within two days after such notice, entering into a recognizance before some justice of the peace for such county or city, with two sufficient sureties, conditioned to try such appeal at, and abide the order of, and to pay such costs as shall be awarded by, the justices at such general or quarter sessions; and the said justices at such session, upon due proof of such notice being given as aforesaid, and of the entering into such recognizances, shall hear and finally determine the causes and matter Persons aggrieved may appeal to the quarter sessions.

matter of such appeal in a summary way, and award such costs to the parties appealing or appealed against as they the said justices shall think proper; and the determination of such general or quarter sessions shall be final, binding, and conclusive; to all intents and purposes.

Penalties and forfeitures how to be recovered and applied.

LXXVI. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed (the manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by distress and sale of the offender's goods and chattles, by warrant under the hand and seal of one justice of the peace acting in and for the said county of *Middlesex*; which warrant such justice is hereby impowered and required to grant, upon the confession of the party or parties, or upon the information of any one or more credible witness or witnesses upon oath; and the penalties and forfeitures, when recovered, after rendering the overplus (if any be) upon demand, to the party or parties whose goods and chattles shall be so distrained and sold (the charges of such distress and sale being first deducted) shall be paid to the clerk to the said commissioners for the time being, and be applied towards the purposes of this act: and in case sufficient distress shall not be found, or such penalties and forfeitures shall not be paid forthwith; it shall and may be lawful to and for such justice, and he is hereby authorized and required, by warrant under his hand and seal, to cause such offender or offenders to be committed to the common gaol or house of correction of the said county, there to remain without bail or mainprize for any time not exceeding three calendar months, nor less than fourteen days, unless such penalties and forfeitures, and all reasonable charges, shall be sooner fully paid and satisfied.

Commissioners may reward informers.

LXXVII. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the said commissioners, or any five or more of them, from time to time, if they shall see cause, to pay and apply such part of the said penalties and forfeitures, or any of them, as they shall think proper, not exceeding one moiety of them, or any of them, to and for the use of the informer or informers, or any of them; any thing herein contained to the contrary notwithstanding.

Justices may administer oaths.

LXXVIII. And be it further enacted by the authority aforesaid, That in all cases where cognifance is given to any justice or justices of the peace by this act, it shall be lawful for such justice or justices to administer an oath to any person for his or their more certain information in the matters then depending.

Proceedings to be entered in books.

LXXIX. And be it further enacted, That a book or books shall be prepared and kept by the said commissioners, or by such person or persons as they, or any five or more of them, shall appoint, wherein shall be fairly entered, from time to time, the names of such persons as they, or any five or more of them, shall nominate and appoint to put in execution the purposes of this act, and copies of all orders and proceedings relating thereto and also an account of what monies shall have been assessed, raised, levied,

levied, and paid, by virtue of this act, and how the same shall have been applied, and the names of the annuitant or annuitants, and what sum or sums he, she, or they, paid for such annuity or annuities respectively, and what he, she, or they, is or are to receive for the same; which book or books the said annuitants, or any of them, and all persons contributing to the said rates or assessments, may, at all convenient times, peruse and inspect without fee or reward.

LXXX. And be it further enacted by the authority aforesaid, That the said commissioners shall at all their meetings under this act pay and defray their own expences.

LXXXI. And be it further enacted by the authority aforesaid, That where any distress shall be made for any sum or sums of money to be levied by virtue of this act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers, on account of any default or want of form in any proceedings relating thereto; nor shall the party or parties distraining be deemed a trespasser or trespassers *ab initio*, on account of any irregularity which shall be afterwards done by the party or parties distraining, but the person or persons aggrieved by such irregularity may recover full satisfaction for the special damage in an action on the case.

LXXXII. Provided always, That no plaintiff or plaintiffs shall recover in any action for any such irregularity, trespass, or other proceedings, if tender of sufficient amends shall be made by or on the behalf of the party or parties who shall have committed, or caused to be committed, any such irregularity, trespass, or wrongful proceedings, before such action brought; and in case no such tender shall have been made, it shall and may be lawful for the defendant or defendants in any such action, by leave of the court where such action shall depend, at any time before issue joined, to pay into court such sum of money as he or they shall think fit; whereupon such proceedings, or orders and judgements, shall be had, made, and given, in and by such court, as in other actions where the defendant is allowed to pay money into court.

LXXXIII. And be it further enacted by the authority aforesaid, That no nomination, contract, bond, warrant, judgement, or other writing whatsoever, under the hand and seal, or hands and seals, of, or only signed by, any commissioners, or justice or justices of the peace, or exhibited before them, or under the hand and seal, or hands and seals, of, or only signed by, any other person or persons whatsoever, relating to the execution of this act, shall be chargeable with any stamp-duty whatsoever.

LXXXIV. And be it further enacted by the authority aforesaid, That all orders and proceedings of the said commissioners, at their meetings, shall be entered in a book or books to be kept for that purpose; and such orders and proceedings, so entered, shall be signed by the clerk or clerks at any meeting of five or more of the said commissioners assembled, as the case shall require; and such orders shall be deemed and taken to be original

Commissioners are to defray their own expences.

Distress not unlawful for want of form;

nor the party distraining deemed a trespasser *ab initio*.

Plaintiff not to recover, if tender of amends has been made.

Writings to be without stamps.

Proceedings to be entered in a book.

nal orders; which said book or books shall and may be produced and read in evidence in all courts whatsoever.

Proceedings
not to be
quashed for
want of form.

nor remove-
able by *Certio-
rari*.

Limitation of
actions.

General issue.

Treble costs.

Publick act.

LXXXV. And be it further enacted by the authority aforesaid, That no proceedings to be had touching the conviction of any offender or offenders against this act, or any order made, or other matter or thing to be done or transacted in, or relating to, the execution of this act, shall be vacated or quashed for want of form, or be removed by *Certiorari*, or any other writ, or process whatsoever, into any of his Majesty's courts of record at *Westminster*; any law or statute to the contrary notwithstanding.

LXXXVI. And be it further enacted by the authority aforesaid, That no action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, until twenty one days notice shall be thereof given in writing to the clerk to the said commissioners, or after sufficient satisfaction, or tender thereof, hath been made to the party or parties aggrieved, or after six calendar months next after the fact committed for which such action or actions, suit or suits, shall be so brought; and every such action shall be brought, laid, and tried, in the county or place where such matters and things respectively shall be committed or done, and not in any other county or place; and the defendant or defendants in such actions and suits, and every of them, may plead the general issue, and give this act and the special matter, in evidence, at any trial or trials which shall be had thereupon, and that the matter or thing for which such action or actions, suit or suits, shall be so brought, was done in pursuance, and by the authority of this act: and if the said matter or thing shall appear to have been so done, or if it shall appear that such action or suit was brought before twenty one days notice thereof given as aforesaid, or that sufficient satisfaction was made or tendered as aforesaid, or if any such action or suit shall not be commenced within the time before for that purpose limited, or shall be laid in any other county or place than as aforesaid; then the jury or juries shall find for the defendant or defendants therein: and if a verdict or verdicts shall be found for such defendant or defendants, or if the plaintiff or plaintiffs in such action or actions, suit or suits, shall become nonsuited, or suffer a discontinuance of such action or actions, or if upon any demurrer or demurrers in such action or actions, judgement shall be given for the defendant or defendants therein; then, and in any of the cases aforesaid, such defendant or defendants shall have treble costs, and shall have such remedy for recovering the same, as any defendant or defendants may have for his, her, or their costs, in any other cases by law.

LXXXVII. And be it further enacted by the authority aforesaid, That this act shall be taken and allowed, in all courts of justice, as a publick act; and all judges, justices, and others, are hereby required to take notice thereof as such, without the same being specially pleaded.

XXXIV.

CAP. XXXIV.

An act to enlarge and vary the term and powers of an act for repairing and widening the road from the west end of Thames Street, in the city of Oxford, over Botley Causeway, to the turnpike road near Fifeild, in the county of Berks; and to provide more effectually for repairing and widening the ancient horse road from the west end of Botley Causeway to Witney, in the county of Oxford.

CAP. XXXV.

An act for amending, widening, and keeping in repair, several roads leading to and through the town of Goudhurst in the county of Kent.

CAP. XXXVI.

An act for making and maintaining a navigable canal from the city of Coventry, to communicate upon Fradley Heath, in the county of Stafford, with a canal now making between the rivers Trent and Mersey.

CAP. XXXVII.

An act for making and maintaining a navigable cut or canal from the river Severn, at or near a place called Hawford, in the parish of Claines, in the county of Worcester, to or near a place called Chapel Bridge, within the borough of Droitwich, in the said county.

CAP. XXXVIII.

An act for making and maintaining a navigable cut or canal from Birmingham to Billstone, and from thence to Aethelney, there to communicate with the canal now making between the rivers Severn and Trent; and for making collateral cuts up to several coal mines.

CAP. XXXIX.

An act to continue the terms and enlarge the powers of several acts of the twelfth of Queen Anne, the twelfth of King George the First, and the twenty second of his late Majesty, for repairing the road from the city of Worcester, through Droitwich, to Bromsgrove, and other roads therein mentioned; and to repeal an act of the twenty eighth year of his late Majesty for repairing the roads lying in and leading from Droitwich aforesaid; and for amending the several roads which were directed to be repaired by the said act.

CAP. XL.

An act for rebuilding and enlarging the common gaol of the city and county of the city of Coventry; and for appointing a place for the custody of prisoners in the mean time.

CAP. XLI.

An act for continuing and enlarging the powers of an act passed in the twenty fourth year of the reign of his late Majesty, intituled, An act for repairing the road from the top of Crickley Hill, in the county of Gloucester, to Frogg Mill, through the towns of North Leach, Barford, and Witney, and parishes of Hanborough and Bladen, to Campsfield, in the parish of Kidlington, in the county of Oxford; and also the road from Witney, through Eynsham, Cumner, and Botley, to the city of Oxford; except

so much thereof as relates to the road from Witney, through Eynsham, Cumner, and Botley, to the city of Oxford; and also for repairing and widening the road from Campsfield, to the turnpike road at or near Enslow Bridge, in the said county of Oxford.

C A P. XLII.

An act for enlarging and continuing the term and powers granted by an act passed in the twentieth year of the reign of his late Majesty, for repairing the road from Sunderland near the sea, to the city of Durham, in the county of Durham.

C A P. XLIII.

An act to enlarge the term and powers of an act made in the thirty third year of the reign of his late Majesty, for repairing the road from the thirty nine mile stone in Maidstone, to Tubb's Lake, in the parish of Cranbrooke, in the county of Kent.

C A P. XLIV.

An act to amend and render more effectual an act made in the second year of the reign of his present Majesty, for supplying the town of Halifax with water; and for better paving, cleansing, and lighting, the streets and other places there; and for removing all nuisances, incroachments, and obstructions, within the said town, and preventing the like for the future.

C A P. XLV.

An act to continue and render more effectual several acts passed for repairing the road leading from The Stones End, in the parish of Saint Leonard Shoreditch, in the county of Middlesex, to the farthermost part of the nothern road, in the parish of Enfield, in the same county, next to the parish of Cheshunt, in the county of Hertford; and for amending the road from The Watch House in Edmonton, to The Market Place in Enfield.

C A P. XLVI.

An act for repealing an act made in the twenty ninth year of the reign of his late majesty King George the Second, intituled, An act for the better regulating the nightly watch and beades, and cleansing, enlightening, and paving, the streets, squares, lanes, and other passages, and repairing the highways and causeways, and regulating the poor within the parish of Saint Mary le bone, in the county of Middlesex; and for making more effectual provision for those purposes.

C A P. XLVII.

An act for diverting, altering, widening, repairing, and amending, the road from Huddersfield, in the west riding of the county of York, to Woodhead, in the county palatine of Chester; and from thence to a bridge over the river Mersey, called Enterclough Bridge, on the confines of the county of Derby.

C A P. XLVIII.

An act for continuing the terms of several acts made in the thirteenth year of King George the First, and in the seventeenth and thirty second years of his late Majesty, for repairing several roads leading from and through Chippenham, and from Chippenham Bridge,
in

T H E
Statutes at Large,

Anno octavo GEORGII III. Regis.

Being the FIRST Session of the
Thirteenth Parliament of GREAT BRITAIN.

B Y
DANBY PICKERING, of GRAY'S INN, Esq;

THE
STATUTES at Large, &c.

Anno octavo GEORGII III.

At the parliament begun and holden at *Westminster*, the tenth day of *May*, *Anno Dom.* 1768, in the eighth year of the reign of our Sovereign Lord *GEORGE* the Third, by the grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c. Being the first session of the thirteenth parliament of *Great Britain*.

C. A. P. I.

An act for further continuing certain laws to prohibit, for a limited time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat-flour; for further allowing the importation of wheat and wheat-flour, barley, barley-meal, and pulse, free of duty, into this kingdom, from any part of Europe; and for allowing the importation of oats and oat-meal, rye and rye-meal, into this kingdom, for a limited time, free of duty; and also for continuing such other laws as will expire before the beginning of the next session of parliament.

WHEREAS it is expedient that the laws herein after mentioned should be continued; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of an act made in the seventh year of the reign of his present Majesty, intituled, *An act to prohibit, for a limited time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat-flour*, as was continued by an act made in the last session of parliament, intituled, *An act to continue and amend an act made in the last session of parliament, to prohibit, for a limited time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat-flour*, shall, together with the amendments and the

Preamble.
Such part of
Act 7 Geo. 3.
as was continued by the
recited act of
the last session.
together with
the amend-

ments and provisions therein, further continued until the twentieth day

other provisions contained in the said last mentioned act, continue, and shall be in full force and effect, and be carried into execution, until the twentieth day after the commencement of the next session of parliament.

The following acts of 7 Geo. 3:

continued likewise until the twentieth day after the commencement of the next session. All other acts, &c. which have continuance only until the end of this session, or which will expire before the beginning

II. And be it further enacted by the authority aforesaid, That the following acts made in the seventh year of the reign of his present Majesty, that is to say, An act, intituled, *An act for further allowing the importation of wheat and wheat-flour, barley, barley-meal, and pulse, free of duty, into this kingdom, from any part of Europe*; and an act, intituled, *An act for allowing the importation of oats and oat-meal, rye and rye-meal, into this kingdom, for a limited time, free of duty*; which said acts were continued by an act made in the last session of parliament, (intituled, *An act to continue several acts made in the last session of parliament, for allowing the importation of wheat, wheat-flour, barley, barley-meal, pulse, oats, oat-meal, rye and rye-meal, duty free; and also so much of an act made in the same session as relates to the free importation of rice from his Majesty's colonies in North America, and to allow the importation of wheat and wheat-flour from Africa, for a limited time, free of duty*) shall continue, and shall be in full force and effect, and be carried into execution, until the twentieth day after the commencement of the next session of parliament.

III. And be it further enacted by the authority aforesaid, That all other acts of parliament, and all clauses and provisions contained in any act or acts of parliament, which have continuance only until the end of this present session of parliament, or which will expire before the beginning of the next session of parliament, shall be, and are hereby, further continued until the end of such next session of parliament.

of the next session, are further continued until the end of the next session.



T H E

Statutes at Large,

Anno nono GEORGII III. Regis.

Being the SECOND Session of the

Thirteenth Parliament of GREAT BRITAIN,

BY

DANBY PICKERING, of GRAY'S INN, Esq;

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THE STATUTES at Large, &c.

Anno Regni GEORGII III. Regis
Magnæ Britanniae, Franciæ, & Hiber-
niæ, nono.

AT the parliament begun and holden at
Westminster, the eighth day of *November*;
Anno Dom. 1768, in the ninth year of the reign of
our sovereign Lord *George* the Third, by the grace
of God, of *Great Britain, France, and Ireland*,
King, defender of the faith, &c. Being the second
session of the thirteenth parliament of *Great Bri-*
tain.

CAP. I.

*An act to prohibit, for a further time, the exportation of
corn, grain, meal, malt, flour, bread, biscuit, and starch;
and also the extraction of low wines and spirits from
wheat and wheat flour.*

WHEREAS it is expedient that the exportation of any sort Preamble.

of corn, grain, meal, malt, flour, bread, biscuit, and starch,
out of the kingdoms of *Great Britain* or *Ireland* should be prohibit-
ed for a further time; be it therefore enacted by the King's most
excellent majesty, by and with the advice and consent of the
lords spiritual and temporal, and commons in this present par-
liament assembled, and by the authority of the same, That from
and after the twenty sixth day of *November*, one thousand seven
hundred and sixty eight, no person or persons whatsoever shall,
directly or indirectly, export, transport, carry, or convey, or
cause or procure to be exported, transported, carried, or con-
veyed, out of or from the said kingdoms of *Great Britain* or
Ireland; or load or lay on board, or cause or procure to be
laden or laid on board, in any ship or other vessel, or boat, in
order to be exported or carried out of the said kingdoms of
Great Britain or *Ireland*, any sort of corn, grain, meal, malt,
flour, bread, biscuit, or starch, under the penalties and forfei-
tures herein after mentioned; that is to say, That all the said
commodities that shall be so exported, shipped, or laid on board,
or loaded to be exported, shipped, or carried out, contrary to
this act, shall be forfeited; and that every offender or offenders

No person
shall export,
&c. any of the
commodities
here mention-
ed, from *Great*
Britain or *Ire-*
land,

on forfeiture
of the same;

and 20 s. per bushel, for all corn, grain, malt, meal, and flour; and 12 d. per lb. for all bread, biscuit, or starch; and also of the vessel, &c.

In what courts the said penalties to be sued for and recovered.

Master and mariners of any such vessel assisting, liable to 3 months imprisonment.

Officers, and other persons authorized,

may seize any of the said commodities shipped, &c. contrary to the intent of this act;

together with the vessel.

The goods to be lodged in the King's warehouses.

therein shall forfeit the sum of twenty shillings for every bushel of corn, grain, malt, meal, or flour; and twelve pence for every pound weight of bread, biscuit, or starch; and so in proportion for any greater or less quantity which shall be so exported, shipped, or put on board to be exported; and also the ship, boat, or vessel, upon which any of the said commodities shall be exported, shipped, or laden to be exported, and all her guns, tackle, apparel, and furniture, shall be forfeited; and one moiety of all the said penalties and forfeitures shall be to the King's majesty, his heirs, and successors, and the other moiety to him or them that will sue for the same; and for offences which shall be committed in that part of *Great Britain* called *England*, such penalties and forfeitures shall be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or before the justices of assize, or at the great sessions in *Wales*, or by information, at any general quarter sessions of the peace for the county, city, riding, division, or place, where the offence shall be committed; and in such suit, no essoin, protection, privilege, or wager of law, shall be allowed; and for offences which shall be committed in that part of *Great Britain* called *Scotland*, by action or summary bill, or information, in the courts of sessions or exchequer in *Scotland*; and for offences which shall be committed in *Ireland*, in his Majesty's courts of record in *Dublin*, or at the general quarter sessions of the peace for the county, city, or place, where the offence shall be committed; and that the master and mariners of any such ship, boat, or vessel, wherein any such offence shall be committed, knowing such offence, and wittingly and willingly aiding and assisting thereunto, and being thereof duly convicted in any such courts as aforesaid, shall be imprisoned for the space of three months without bail or mainprize.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons, being an officer or officers of the customs, or being lawfully authorized in this behalf by the lord high treasurer of *Great Britain*, or the commissioners of the treasury for the time being, or any three or more of them, to take and seize all such of the said commodities, not allowed to be exported by this act, as he or they shall happen to find, know, or discover, to be laid on board any ship, or other vessel, or boat at sea, or in any port, or in any navigable river or water, to the intent or purpose to be exported, transported, or conveyed, out of *Great Britain* or *Ireland*, contrary to the true intent of this act; and also the ship, vessel, or boat, in which the same shall be found; and to bring the said goods to the King's warehouse or warehouses belonging to the customhouse next to the place where such seizures shall be made, or to some other safe place (where there are no such warehouses) in order to be proceeded against according to law; and in case of recovery, to be divided in manner as aforesaid.

III. Proq-

III. Provided always, That this act, or any thing herein contained, shall not extend to prohibit the exportation of such or so much of the said commodities, as shall be necessary to be carried in any ship or ships, or other vessel or vessels, in their respective voyages, for the sustenance, diet, and support, of the commanders, masters, mariners, passengers, or others, in the same ships or vessels only; or for the victualling or providing any of his Majesty's ships of war, or other ships or vessels in his Majesty's service, or for his Majesty's forces, forts, or garrisons; any thing herein contained to the contrary notwithstanding.

IV. Provided also, That this act, or any thing herein contained, shall not extend to prohibit any person or persons to ship or put on board any of the commodities aforesaid, to be carried coastwise; that is to say, From any port, creek, or member of the kingdoms of *Great Britain* or *Ireland*, to any other port, creek or member of the same respectively, having such or the like coast cocquet, or sufferance for that purpose, and such or the like sufficient security being first given for the landing and discharging the same in some other port, member, or creek, of the said kingdoms, and returning a certificate in six months, as is required by law in cases where goods, which are liable to pay duties on exportation, are carried coastwise from one port of *Great Britain* to another, and not otherwise.

V. Provided also, That this act, or any thing herein contained, shall not extend to any of the said commodities which shall be exported, or shipped to be exported, out of or from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*; or from *Great Britain* or *Ireland*, to *Gibraltar* or *Minorca*, or unto any of his Majesty's islands or colonies in *America*, that have usually been supplied with any of the said commodities from *Great Britain* or *Ireland*, for the sustentation of the inhabitants of the said islands, colonies, or dominions; or for the benefit of the *British* fishery in those parts only; so as the exporter do, before the shipping or laying on board the same, declare the island, colony, or dominion, islands, colonies, or dominions, for which the said commodities are respectively designed, and do become bound with other sufficient security in treble the value thereof, to the commissioners or chief officer or officers of his Majesty's customs belonging to the port or place where the same shall be shipped or put on board (who hath or have hereby power to take such security in his Majesty's name, and to his Majesty's use) that such commodities shall not be landed or sold in any parts whatsoever, other than the kingdoms, dominions, islands, or colonies, for which the same shall be so declared; and that a certificate under the hand and seal of the collector, comptroller, or other chief officer of the customs, or if no such, of the naval officer, or some other principal officer of the port where the same shall be landed, shall, within the respective times herein after for that purpose mentioned (the danger of the seas excepted) be returned to the officers who took the said bonds, that the said commodities have been landed at the

Prohibition not to extend to so much of the said commodities, as shall be necessary for the use of vessels in their voyages; or for his Majesty's ships of war, &c. forces or garrisons; nor to such as shall be carried coastwise;

Security being first given for the due landing thereof;

nor to such as shall be exported from *Great Britain* to *Ireland*; or from *Ireland* to *Great Britain*; or to *Gibraltar*, *Minorca*, or *British* colonies in *America*; or for the *British* fishery there; the exporter giving security for the due landing, &c.

and returning a certificate.

Officer making a false certificate, forfeits 200l. and is incapacitated.

Other person counterfeiting, &c. any certificate, forfeits 200l. &c.

Penalties in what courts to be recovered.

Application thereof.

Bonds to be prosecuted within 3 years.

Prohibition not to extend to beans exported to the British forts, &c. in Africa, &c.

nor to any of the said commodities exported by the East India company to their forts, &c.

nor to wheat, flour, malt, barley, bread, biscuit, or pease, from Southampton to Jersey, Guernsey, and Alderney, &c. for the use of the inhabitants only, &c.

port or place for which the same shall be so declared; and for the taking of such security, and for giving such certificates (which the respective officers aforesaid are hereby on demand required to give) no fee or reward shall be demanded or received; and if any officer shall make any false certificate of any such commodities being so landed, such officer shall forfeit the sum of two hundred pounds, and lose his employment, and be incapable of serving his Majesty, his heirs, or successors, in any office relating to the customs; and if any person shall counterfeit, raise, or falsify, any such certificate, or knowingly publish any such counterfeit, raised, or false certificate, he shall forfeit the sum of two hundred pounds, and such certificate shall be void and of no effect; which said penalties for offences committed in *Great Britain or Ireland*, shall be recovered in the same courts, and in the same manner, as the other penalties inflicted by this act are recoverable; and for offences committed in the colonies or plantations in *America*, or other the dominions belonging to the crown of *Great Britain* in *Europe*, shall be recovered in the high court of admiralty, or in any chief court of civil or criminal jurisdiction, in such respective colonies, plantations, or dominions; and shall be divided into equal moieties between his Majesty and the informer; and the said bond or bonds, if not prosecuted within three years, shall be void.

VI. Provided also, That nothing herein contained shall extend to prohibit the exportation of beans to the *British* forts, castles, and factories in *Africa*, or for the use of the ships trading upon that coast, that usually have been supplied with the same, from *Great Britain* or *Ireland*; so as the like security be given for the exporting thereof, as is required by this act to be given by persons carrying any of the said commodities to the *British* colonies in *America*.

VII. Provided also, That nothing herein contained shall extend to prohibit the united company of merchants of *England* trading to the *East Indies*, from exporting any of the said commodities to any of their forts, factories, or settlements, for the support of the persons residing there; so as the like security be given for the exporting thereof, as is required by this act to be given by persons carrying any of the said commodities to the *British* colonies in *America*.

VIII. Provided also, That this act, or any thing herein contained, shall not extend to any wheat, flour, malt, barley, bread, biscuit, or pease, to be transported out of, or from, the port of *Southampton* only, unto the islands of *Jersey*, *Guernsey*, and *Alderney*, or any of them, for the only use of the inhabitants of those islands; so as the exporter before the lading of such commodities, or laying the same on board, do become bound with other sufficient security in treble the value thereof (which the customer or comptroller of the same port hath hereby power to take in his Majesty's name, and to his Majesty's use, and for which security no fee or reward shall be given or taken) that such commodities shall be landed in the said islands of *Jersey*, *Guern-*

Guernsey, and *Alderney*, or one of them (the danger of the seas only excepted) for the use of the inhabitants there, and shall not be landed or sold in any other parts whatsoever, and to return the like certificates of the landing the same there, as are herein required on the exportation of the said commodities to the *British* colonies in *America*, and within the time for that purpose herein mentioned; and so as the quantity of wheat, flour, malt, barley, bread, biscuit, and pease, which at any time or times during the continuance of this act, shall be shipped at the said port for the said islands, or either of them as aforesaid, doth not exceed in the whole five thousand quarters; any thing herein contained to the contrary notwithstanding.

IX. Provided also, That this act shall not extend to any wheat, barley, oats, meal, or flour, to be transported out of the ports of *Whitehaven* or *Liverpoole* only, into the *Isle of Man*, for the only use of the inhabitants of that island; so as the exporter, before the lading of such wheat, barley, oats, meal, or flour, or laying the same on board, do become bound, with other sufficient security, in treble the value thereof (which the customer or comptroller of either of the said ports respectively hath hereby power to take in his Majesty's name, and to his Majesty's use, for which security no fee or reward shall be given or taken) that such wheat, barley, oats, meal, or flour, shall be landed in the said *Isle of Man* (the danger of the seas only excepted) for the use of the inhabitants there, and shall not be landed or sold in any other parts whatsoever; and to return the like certificates of the landing the same there, as are by this act required on the exportation of the said commodities to the *British* colonies in *America*, and within the time for that purpose herein mentioned; and so as the whole quantity of wheat, barley, oats, meal, and flour, which, at any time or times during the continuance of this act, shall be shipped at both the said ports for the said *Isle of Man*, shall not exceed in the whole two thousand five hundred quarters; one moiety thereof to be exported from the said port of *Whitehaven*, and the other moiety thereof to be exported from the said port of *Liverpoole*; any thing herein contained to the contrary notwithstanding.

X. Provided also, That nothing in this act contained shall extend to prohibit the committee of merchants trading to *Africa*, from exporting, during the continuance of this act, any quantity of wheat flour, not exceeding two hundred quarters; or any quantity of bread or biscuit, not exceeding fifteen tons in the whole of such bread or biscuit, or of such bread and biscuit together, to the *British* forts, castles, and factories in *Africa*, for the support of the persons residing there; so as the like security be given for the exporting thereof, as is herein required to be given by persons carrying the said commodities to the *British* colonies in *America*.

XI. And be it further enacted by the authority aforesaid; That the commissioners of the customs for the time being shall, and they are hereby required, to give a full and true account

so as the quantity exceed not 5000 quarters in the whole;

nor to wheat, barley, oats, meal, or flour, from *Whitehaven* or *Liverpoole* to the *Isle of Man*, for the use of the inhabitants only, &c.

so as the quantity exceed not 2500 quarters in the whole; one moiety to be shipped from *Whitehaven*, and the other moiety from *Liverpoole*; nor to wheat flour, not exceeding 200 quarters; nor to bread or biscuit, not exceeding 15 tons; sent by the committee of *Africa* merchants to their forts, &c. in *Africa*.

Commissioners of the customs to return an ac-

count to parliament of all the corn and other commodities so exported.

in writing, to both houses of parliament, at the beginning of the next session thereof, of all corn, grain, meal, malt, flour, bread, biscuit, and starch, that shall before that time be exported to any place whatsoever by virtue or in pursuance of any of the liberties or powers hereby given or granted for that purpose.

Times limited for returning certificates, where bonds are taken.

XII. And be it further enacted by the authority aforesaid, That all certificates of the landing and discharging of the said commodities to be exported, other than coastwise, shall be returned within the respective times following; that is to say, Where the bonds are taken in respect of any of the said commodities to be exported from *Great Britain* or *Ireland*, to any of said the colonies or plantations in *America*, within eighteen calendar months after the date of such bonds; and where to *Gibraltar* or *Minorca*, within twelve calendar months after the date of such bonds; and where to the islands of *Guernsey*, *Jersey*, *Alderney*, or *Man*, within six calendar months after the date of such bonds; and where from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, within six calendar months after the date of such bonds respectively.

No drawback or bounty to be paid on any of the commodities so exported.

XIII. Provided always, and be it enacted by the authority aforesaid, That no corn, grain, meal, malt, flour, bread, biscuit, or starch, which shall be exported by virtue of this act, shall be intitled to any of the bounties or drawbacks which are allowed and made payable on the exportation of such commodities, or any of them.

Prohibition not to extend to rice.

XIV. Provided always, and be it enacted, That nothing herein contained shall extend to prohibit the exportation of rice out of this kingdom.

The extraction of low wines or spirits from wheat or wheat flour prohibited,

XV. And whereas it is expedient that the extraction of low wines or spirits from wheat or wheat flour should be prohibited for a further time; be it therefore further enacted by the authority aforesaid, That from and after the twenty sixth day of *November*, one thousand seven hundred and sixty eight, no low wines or spirits whatsoever shall be made, extracted, or distilled, within this kingdom, from any wheat or wheat flour: and if any distiller or maker of low wines or spirits, or any other person or persons whatsoever, shall make, extract, or distill, or cause or procure to be made, extracted, or distilled, any low wines or spirits from any wheat or wheat flour, or shall use or mix, or cause or procure to be used or mixed, any wheat or wheat flour in any worts or wash, in order for the making, extracting, or distilling, low wines or spirits, or shall put or lay, or cause or procure to be put or laid, in any tun, wash-batch, cask, copper, still, or other vessel or utensil, any wheat or wheat flour for the purpose of preparing any worts or wash, or for making, extracting, or distilling, low wines or spirits, whether such tun, wash-batch, cask, copper, still, or other vessel or utensil, hath or hath not been duly entered at the excise office; that then, and in each and every of the said cases, such distiller or maker of low wines or spirits, or other person or persons, acting contrary

trary to the directions of this act, or the person or persons in whose custody or possession any such tun, wash-batch, cask, copper, still, or other vessel or utensil, which shall be made use of contrary to the intention of this act, shall be found, shall respectively, for every such offence, forfeit and pay the sum of two hundred pounds, and all such wheat or wheat flour, and such worts and wash, low wines and spirits, shall be also forfeited.

under penalty of 200l. and on forfeiture of all the said commodities.

XVI. And be it further enacted by the authority aforesaid, That if any wheat or wheat flour shall be found in any workhouse, stillhouse, storehouse, warehouse, or any other place, wherein low wines or spirits, or worts or wash, shall be made, extracted, distilled, or prepared, or where any low wines or spirits, or worts or wash, shall have been made, extracted, distilled, or prepared, since the first day of *October*, one thousand seven hundred and sixty eight, all such wheat and wheat flour shall be forfeited; and the person or persons in whose possession such workhouse, stillhouse, storehouse, warehouse, or place, shall be, shall, for every offence respectively, also forfeit and pay the sum of one hundred pounds.

Wheat and wheat flour found in any place where low wines and spirits are extracted, &c. are forfeited;

and also 100l. by the person in whose possession found.

XVII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons who shall be authorized for that purpose by the commissioners of excise for the time being, or any two or more of them, within the limits of the chief office of excise in *London*, or by one or more justice or justices of the peace in any other part of *Great Britain*, at any time or times, with any officer of excise, to enter into any workhouse, stillhouse, storehouse, warehouse, or any other place, wherein any low wines or spirits, or worts or wash, shall be, or are suspected to be, made, extracted, distilled, or prepared, or wherein low wines or spirits, or worts or wash, shall have been made, extracted, distilled, or prepared, since the first day of *October*, one thousand seven hundred and sixty eight, and shall have free admittance into the same, and may inspect all the materials, vessels, and utensils, therein contained, giving thereby as little interruption as may be to the business which is carrying on; and in case any officer of excise shall have reason to suspect that any wheat or wheat flour is mixed in any worts or wash, or in any other material or preparation, for making, extracting, or distilling, low wines or spirits, it shall and may be lawful for such officer, at any time or times during the continuance of this act, upon payment of two shillings and six pence, to take a sample, not exceeding two quarts, of any such worts or wash, material or preparation, which shall be found in any such house, or other place aforesaid; and in case any distiller or maker of low wines or spirits, or the owner or occupier of any such house or place, or any workman or servant to any such distiller, owner, or occupier belonging, shall refuse to admit such person or persons as shall be so authorized, or any officer of excise, into any such house or place; or shall obstruct or hinder any such officer, or person or persons, in

Officers of excise, &c. authorized to inspect the materials from which low wines or spirits are to be extracted;

and take samples, paying for the same;

Penalty of refusing admittance to an officer, &c. or obstructing him, is 100 l.

making

Officer authorized by warrant, may seize the said commodities

making such inspection as aforesaid; or shall not allow any such officer to take such sample, after the said sum of two shillings and six pence shall be paid or tendered for the same, such distiller, owner, or occupier, shall, for every such offence respectively, forfeit and pay the sum of one hundred pounds; and it shall be lawful for any such officer of excise, or other person or persons authorized as aforesaid, having a warrant for that purpose from any two or more of the commissioners of the excise, or any justice or justices respectively as aforesaid, to seize, take, and carry away, all such wheat and wheat flour as shall be found in any such house or other place, together with all the sacks, bags, and other things, in which the said commodities shall be contained.

Distiller, &c. not to have more than 5 quarters of wheat or wheat flour at one time, &c.

on forfeiture of the surplus, and 5 l. per quarter;

except with respect to such distillers, &c. as are the growers, &c.

and who keep not the wheat, after being threshed out, longer than 20 days; and not in places used for distilling;

and also with respect to such distillers as are millers, &c.

In case of information, upon oath, before two

XVIII. And be it further enacted by the authority aforesaid, That if any distiller or maker of low wines or spirits for sale or exportation, shall be possessed of, or have in his, her, or their custody or possession, or in the custody or possession of any person or persons in trust, or for the use or benefit of such distiller or maker of low wines or spirits, more than five quarters of wheat or wheat flour at any one time, in any one or more place or places (not being a place or places for preparing, making, extracting, distilling, or keeping worts or wash, low wines, or spirits) every such distiller or maker of low wines or spirits shall, for every such offence respectively, forfeit all such wheat and wheat flour exceeding the said quantity of five quarters; and also the sum of five pounds for every quarter so forfeited.

XIX. Provided always, That this act shall not extend to inflict the said last mentioned penalty and forfeiture upon any distiller or maker of low wines or spirits, who shall be the actual grower of wheat, and shall be possessed of any quantity of such wheat grown by him or her in the straw, or after the same is threshed out, or separated from the straw; provided such wheat shall not be kept in his or her possession, or in the possession of any other person or persons in trust for him or her, or for a greater space of time than twenty days after the same shall be threshed or separated from the straw; and so as such wheat be not kept in any place used for making, extracting, or distilling, low wines or spirits, or for preparing or keeping worts or wash.

XX. Provided also, That this act shall not extend to inflict the said last mentioned penalty and forfeiture upon any distiller or maker of low wines or spirits, who practises the trade of a miller, and who was possessed of, and worked any mill or mills for the grinding of wheat, on or before the first day of *October*, one thousand seven hundred and sixty eight, for or upon account of any quantity of wheat or wheat flour, which shall at any time, during the continuance of this act, be found in any such mill or mills; any thing herein contained to the contrary notwithstanding.

XXI. And be it further enacted by the authority aforesaid, That in case any officer or officers of excise, or any other person or persons, shall, at any time or times, have cause to suspect

pect that any wheat or wheat flour, exceeding the quantity of five quarters, shall be laid or kept in any such storehouse, warehouse, grainery, or other place or places, as aforesaid, belonging to any distiller or maker of low wines or spirits, contrary to the true intent and meaning of this act; then, and in every such case, upon oath made by such officer or officers, or other person or persons, before the commissioners of excise for the time being respectively, or any two or more of them, or before one or more justice or justices of the peace residing near the place where such officer or officers, or other person or persons, shall suspect the same to be laid and kept, setting forth the ground of his or their suspicion; it shall and may be lawful to and for the said commissioners, or justice or justices of the peace respectively, before whom such officer or officers, or other person or persons, shall make oath as aforesaid (if he or they shall judge it reasonable) by special warrant under his or their respective hands and seals, to authorize and empower such officer or officers, or other person or persons, authorized as aforesaid, by day or by night (but if in the night, then in the presence of a constable, or other lawful officer of the peace) to enter into all and every storehouse, warehouse, grainery, or other place or places, where he or they shall suspect that any wheat or wheat flour, exceeding the quantity of five quarters as aforesaid, shall be laid or kept, belonging to any such distiller or maker of low wines or spirits, and to seize, take, and carry away, all such wheat and wheat flour as he or they shall so find (over and above the said quantity of five quarters, together with all the sacks, bags, or other things, wherein the same shall be contained) and such distiller or maker of low wines or spirits, or the person or persons in whose custody or possession such wheat or wheat flour, belonging to such distiller, shall be found, shall, for every such offence respectively, forfeit and pay the said penalty of five pounds for every quarter exceeding the said quantity of five quarters; and the said officer or officers, and other person or persons, is or are hereby empowered by such warrant, together with such other person or persons as he or they shall take to his or their assistance, to enter such storehouses, warehouses, graineries, and other place or places, and break open the doors thereof in case they be not opened on demand.

or a justice of peace, warrant to be granted empowering the officer, &c. to enter all storehouses, &c. belonging to distillers,

and seize all wheat and wheat flour exceeding 5 quarters, and distiller liable to pay 5 l. per quarter for all above that quantity, &c.

XXII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed, and for the recovery and application whereof no other provision is herein before made, shall be sued for and recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record in *Westminster*, or in the court of exchequer at *Scotland*; and that the respective courts before whom the same shall be recovered may and are hereby authorized (if they shall think fit) to mitigate all or any of the pecuniary penalties herein before inflicted, to any sum not less than one fourth part of the sum herein respectively mentioned; and that one moiety of all such penalties and forfeitures when recovered, shall be to the use of his Majesty,

Recovery and application of the penalties and forfeitures, where not otherwise directed.

Penalties liable to be mitigated.

Majesty, his heirs, and successors, and the other moiety to him or them who shall sue for the same, or give information of, or discover the offence.

Limitation of suits, and informations for offences against this act. XXIII. Provided always, That all suits, prosecutions, or informations, for offences committed against this act, shall be commenced and made within the space of six calendar months after the fact is committed, and not otherwise; any thing herein contained to the contrary notwithstanding.

Limitation of actions. XXIV. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons, for any thing done in pursuance of this act, such action or suit shall be commenced within the space of four calendar months next after the offence shall be committed; and if such action or suit shall be commenced or prosecuted in that part of *Great Britain* called *England*, the defendant or defendants in

General issue. any such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants: and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared; or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases by law: and if such action or suit be commenced or prosecuted in that part of *Great Britain* called *Scotland*, the court, before whom such action or suit shall be brought, shall allow the defender to plead this act on his defence; and if the pursuer shall not insist on his action, or if judgement shall be given against such pursuer, the defender shall and may recover the full and real expences he may have been put to by any such action or suit.

Treble costs. **Publick act.** XXV. And be it further enacted by the authority aforesaid, That this act shall continue until the twentieth day after the commencement of the next session of parliament.

CAP. II.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and sixty nine.

CAP. III.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

CAP. IV.

An act to allow for a further time the free importation of rice into this kingdom, from his Majesty's colonies in North America.

Preamble.

WHEREAS it is expedient that such part of the law as is herein after mentioned should be further continued; May it therefore please your Majesty that it may be enacted; and be it enacted

acted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that so much of an act made in the seventh year of the reign of his present Majesty, intituled, *An act for allowing the free importation of rice, sago powder, and vermicelli, into this kingdom, from his Majesty's colonies in North America, for a limited time*, as relates to the importation of rice; which was continued by an act made in the eighth year of the reign of his present Majesty, intituled, *An act to continue several acts made in the last session of parliament, for allowing the importation of wheat, wheat-flour, barley, barley meal, pulse, oats, oatmeal, rye, and rye meal, duty free; and also so much of an act made in the same session as relates to the free importation of rice from his Majesty's colonies in North America; and to allow the importation of wheat and wheat-flour from Africa, for a limited time, free of duty*, shall be, and is hereby further continued until the first day of January, one thousand seven hundred and seventy.

So much of act 7. Geo. 3. as relates to the importation of rice,

which was continued by act 8 Geo. 3.

is further continued to 1 Jan. 1770.

II. Provided always, and be it further enacted by the authority aforesaid, That for and upon all rice which shall be imported into this kingdom, duty free, by virtue of this act, and which shall be again exported thereout, there shall be paid and answered to his Majesty, his heirs, and successors, a subsidy of poundage of six pence in the pound, according to the value or rate set upon rice imported, in the book of rates referred to by the act of the twelfth year of King Charles the second; which said subsidy of six pence in the pound upon such rice so exported, shall be raised, levied, collected, and recovered, by such ways and means, and under such rules, regulations, penalties, and forfeitures, as the subsidy of poundage for any goods or merchandizes exported from Great Britain may be raised, levied, collected, or recovered, by any act of parliament now in force, as fully and effectually to all intents and purposes, as if the several clauses, powers, directions, penalties, and forfeitures, relating thereto, were particularly repeated and re-enacted in the body of this present act; and that such duties shall (the necessary charges of management excepted) be paid into the receipt of his Majesty's exchequer, and be there reserved for the disposition of parliament.

Rice so imported, being again exported, is to pay 6 d. in the pound *ad Valorem*;

III. Provided also, and be it further enacted by the authority aforesaid, that due entries shall be made in such manner and form as were used or practiced before the making of this act, of all rice which shall be imported into this kingdom, by virtue of this act, at the customhouse belonging to the ports of importation; or in default thereof, the rice so imported, and whereof such entries shall not be made, shall be subject and liable to such and the same duties as would have been payable thereon, in case the free importation thereof had not been allowed.

and due entries to be made of such importation,

on penalty of paying the accustomed duty.

CAP. V.

An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and sixty nine, at three shillings in the pound.

CAP. VI.

An act for the more effectually preventing the clandestine importation of foreign spirits; and for explaining such part of an act made in the fifth year of the reign of his present Majesty, as relates to the penalties inflicted upon persons selling ale, beer, or other exciseable liquors by retail, without licence; and for taking away certain powers granted by former acts, for punishing persons convicted of retailing spirituous liquors without licence.

Preamble, reciting clause in act 8 Geo. 1.

WHEREAS by an act passed in the eighth year of the reign of his late majesty King George the first, intituled, An act to prevent the clandestine running of goods, and the danger of infection thereby; and to prevent ships breaking their quarantine; and to subject copper ore, of the production of the British plantations, to such regulations as other enumerated commodities of like production are subject, it is enacted and declared, that any officer of excise shall and may, and ought to seize all brandy, arrack, rum, spirits, and strong waters, together with the casks, bottles, vessels, or other package containing the same, which by any act or acts then in force, or then after to be made, should be forfeited: and whereas no provision is made by the laws in being to empower the officers of excise to seize horses, or other cattle or carriages made use of in removing, carrying, or conveying, the said liquors forfeited as aforesaid; and it would be a further means to prevent the clandestine importation of spirituous liquors, if officers of excise were empowered to seize the horses, or other cattle and carriages made use of in removing, carrying, or conveying the same, in the same manner as the officers of the customs may now legally do; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that from and after the tenth day of *January*, one thousand seven hundred and sixty nine, it shall and may be lawful to and for the officers of excise, and every of them, and they, and each of them, are required to seize all and every horse, and other cattle and carriage whatsoever, used in the removing, carrying, or conveying away, any of the liquors aforesaid (customs and other duties not being first paid or secured) in the same manner as the officers of the customs may now legally do; which seizures of horses, cattle, and carriages, shall and may be proceeded upon, heard, and determined, by such ways, means, and methods, as any fine, penalty, or forfeiture, is or may be sued for or recovered by any law or laws relating to his Majesty's revenue of excise, or any of them; or by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, for any thing done in that part of *Great Britain* called *England*, or in the court of exchequer at *Edinburgh*, for any thing done in that part of *Great Britain* called *Scotland*; and that one moiety of every such forfeiture, shall be to his Majesty, his heirs, and

After 10 Jan. 1769, officers of excise are empowered to seize all horses, cattle, and carriages, used in removing or conveying away foreign spirits, for which duties, &c. have not been paid, as officers of the customs may now do. Method of proceeding thereupon.

and successors, and the other moiety thereof, to him or them who shall seize, inform, or sue for the same.

II. And whereas by an act passed in the fifth year of his present Majesty's reign, intituled, *An act for altering the stamp duties upon admissions into corporations or companies; and for further securing the stamp duties in Great Britain*; it is, amongst other things, enacted, that from and after the fifth day of July, one thousand seven hundred and sixty five, every person convicted of selling beer, ale, or other exciseable liquors by retail, within *England, Wales, or the town of Berwick upon Tweed*, without being licensed thereto, shall, instead of the several pecuniary and corporal punishments, inflicted by former acts, forfeit and undergo the penalties and punishments following; for the first offence, the sum of forty shillings, and all costs and expences of conviction, and if not paid within fourteen days, the party shall suffer imprisonment for one month, unless the penalty and charges shall be sooner paid; and for the second offence, four pounds, with the like costs; and if not paid within one week, the party shall suffer imprisonment for two months, unless such fine and costs be sooner paid; and for the third offence, and all subsequent offences, six pounds, with like costs; and if not paid within three days, the party shall suffer imprisonment for three months, unless he shall sooner pay the same as aforesaid; the said costs and expences to be settled and ascertained, as is therein mentioned: and whereas since passing of the said last in part recited act, it has been doubted, whether the several powers, authorities, directions, rules, methods, penalties, punishments, and forfeitures, clauses, matters, and things, which were provided, settled, directed, established, or imposed, by any act or acts of parliament made since the eighth year of his late majesty King *George the second*, relating to the selling spirituous liquors by retail without licence, might be lawfully exercised, imposed, inflicted, and recovered, against any person for retailing spirituous liquors without licence: now in order to put an end to such doubts, be it enacted and declared by the authority aforesaid, that all and every the powers, authorities, directions, rules, methods, penalties, punishments, and forfeitures, clauses, matters and things, provided, settled, directed, established, or imposed by any act or acts of parliament made since the eighth year of the reign of his late majesty King *George the second* relating to the selling of spirituous liquors by retail without licence (except the forfeiture or penalty of one hundred pounds imposed by an act of the ninth year of the reign of his late majesty King *George the second*, intituled, *An act for laying a duty upon the retailers of spirituous liquors, and for licensing the retailers thereof*) might have been, notwithstanding the said act made in the fifth year of his present Majesty's reign, and may (except as is herein after mentioned) for the future be lawfully exercised, practised, applied, used, imposed, inflicted, levied, and recovered, in regard to all and every person and persons that have offended or shall offend against the said several and respective acts, or any of them, exercised.

Clause in act
5 Geo. 3.

Powers, &c.
provided and
established by
any act or acts
made since
8 Geo. 2. re-
lating to the
retailing spiri-
tuous liquors
without li-
cence (except
the penalty of
100 l. imposed
by act 9 Geo. 2.
might have
been, and
may, notwith-
standing act
5 Geo. 3, be
lawfully ex-
ercised.

them, made since the eighth year of the reign of his said late majesty King George the second.

The powers given to justices of the peace, &c. by former acts, of transporting or whipping persons who retail spirituous liquors without licence, are taken away.

III. Provided always nevertheless, and it is hereby enacted by the authority aforesaid, that from and after the tenth day of January, one thousand seven hundred and sixty nine, all the powers and authority by the said former acts, or any of them, to the justices of peace and commissioners of excise respectively given of transporting or whipping persons convicted of retailing spirituous liquors without licence, shall cease and be no longer put in force; any former act or acts to the contrary notwithstanding.

CAP. VII.

An act for the regulation of his Majesty's marine forces while on shore.

CAP. VIII.

An act for the repairing, improving, and better preserving of the harbour and quay of Wells, in the county of Norfolk.

CAP. IX.

An act to continue an act made in the eighth year of the reign of his present Majesty, intituled, An act to continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time.

Preamble.

WHEREAS an act was made in the fifth year of his present Majesty's reign, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time: and whereas an act was made in the eighth year of his present Majesty's reign, to continue and amend the said first-mentioned act; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time: and whereas it is expedient that the importation of all the said goods and commodities should be admitted for a longer time than is allowed by the said last-mentioned act; May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that the said act made in the eighth year of his present Majesty's reign, intituled, *An act to continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time,* shall continue and be in full force and effect, until the first day of February, one thousand seven hundred and seventy,

Act 8 Geo. 3.

further continued to 1 Feb. 1770.

CAP. X.

An act for the better paving, cleansing, lighting, and watching, the streets and lanes in the parish and borough of New Windsor, in the county of Berks, and for preventing nuisances and annoyances therein.

CAP.

CAP. XI.

An act for repealing so much of an act made in the seventh and eighth years of the reign of King William the third, intituled, An act to encourage the bringing plate into the mint to be coined, and for the further remedying the ill state of the coin of the kingdom, as restrains any person keeping an inn, tavern, alehouse, or victualling-house, or selling wine, ale, beer, or any other liquors, by retail, from publickly using any wrought or manufactured plate, or any utensil or vessel thereof, except spoons; and for putting an end to prosecutions commenced for offences against such part of the said act.

WHEREAS by an act made in the seventh and eighth years of the reign of his late majesty King William the third, intituled, *An act to encourage the bringing plate into the mint to be coined, and for the further remedying the ill state of the coin of the kingdom, it was enacted, That from and after the fourth day of May, which should be in the year of our Lord one thousand six hundred and ninety six, no person keeping any inn, tavern, alehouse, or victualling-house, or selling wine, ale, beer, or any other liquors, by retail, should publickly use, or expose to be used, in such his or her house, any wrought or manufactured plate whatsoever, or any utensil or vessel thereof (except spoons) under the penalty of forfeiting the same, or the full value thereof, together with full costs of suit, to him, her, or them, who should sue for the same: and whereas the said restriction hath been found very inconvenient, and is productive of many frivolous and vexatious suits, and is also detrimental to the revenue: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, so much of the said act as restrains any person keeping any inn, tavern, alehouse, or victualling-house, or selling wine, ale, beer, or any other liquors, by retail, from publickly using, or exposing to be used, in such his or her house, any wrought or manufactured plate whatsoever, or any utensil or vessel thereof, shall be and is hereby repealed and made void to all intents and purposes whatsoever.*

II. And be it further enacted by the authority aforesaid, That all and every person and persons whatsoever, against whom any action of debt, bill, plaint, or information, hath been brought in any of his Majesty's courts of record at *Westminster*, for any penalty incurred by reason of the said act of King William the third, for having publickly used, or exposed to be used in his, her, or their house, any wrought or manufactured plate whatsoever, or any utensil or vessel thereof, shall be, and is and are hereby indemnified, freed, and discharged, from and against all

VOL. XXVIII.

M

pe-

Preamble, re-
citing clause
in act 7 & 8
Will. 3.

Repeal of so
much of the
recited act, as
restrains inn-
keepers and
others from
publickly
using wrought
or manufac-
tured plate.
Indemnifica-
tion of per-
sons sued for
penalties in-
curred by rea-
son of the said
act,

penalties and forfeitures incurred for or by reason of having publicly used, or exposed to be used, in his, her, or their house, any wrought or manufactured plate whatsoever, or any utensil or vessel thereof; any thing in the said act of King *William* the third contained to the contrary thereof in any wise notwithstanding.

they paying
such costs of
suit as have
been incurred;

III. Provided always, That all costs incurred in prosecuting and carrying on any such action of debt, bill, plaint, or information, shall be borne and discharged by the person or persons against whom any such action of debt, bill, plaint, or information, hath been brought.

except in
cases where
final judge-
ment shall
have been al-
ready obtain-
ed for the pe-
nalty.

IV. Provided also, That this act, or any thing herein contained, shall not extend, or be construed to extend, to indemnify any person against whom final judgement shall have been given in any action of debt, bill, plaint, or information, in any of his Majesty's courts of record, for any penalty or forfeiture incurred by reason of the said act of King *William* the third, for having publicly used, or exposed to be used, in his, her, or their house, any wrought or manufactured plate whatsoever, or any utensil or vessel thereof.

Persons sued
may plead the
general issue.

V. And be it further enacted by the authority aforesaid, That in case any action, suit, bill, plaint, or information, shall, from and after the passing of this act, be brought, carried on, or prosecuted, against any person or persons hereby meant or intended to be indemnified, freed, and discharged, from and against all penalties and forfeitures incurred by reason of the said act of King *William* the third, for or on an account of having publicly used, or exposed to be used, in his, her, or their house, any wrought or manufactured plate whatsoever, or any utensil or vessel thereof, such person or persons may plead the general issue; and, upon their defence, give this act and the special matter in evidence at any trial to be had thereupon.

C A P. XII.

An act to indemnify such persons as have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose; and to indemnify members, and officers in cities, corporations, and borough towns, whose admissions have been omitted to be stamped according to law, or, having been stamped, have been lost or mislaid, and for allowing them time to provide admission duly stamped.

Preamble, re-
citing the fe-
veral qualify-
ing acts of

WHEREAS divers persons who, on account of their offices, places, employments, or professions, or any other cause or occasion, ought to have taken and subscribed the oaths, or the assurance, respectively appointed to be by such persons taken and subscribed, in and by an act made in the first year of the reign of his late majesty King *George* the first, of glorious memory, intituled, An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess *Sophia*, being

1 Geo. I.

being protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors; or to have qualified themselves according to an act made in the thirteenth year of the reign of King Charles the second, intituled, An act for the well governing and regulating corporations; or to have qualified themselves according to another act made in the twenty fifth year of the reign of King Charles the second, intituled, An act for preventing the dangers which may happen from popish recusants, by receiving the sacrament of the Lord's supper according to the usage of the church of England, and making and subscribing the declaration against transubstantiation therein mentioned; or according to another act made in the thirtieth year of the reign of King Charles the second, intituled, An act for the more effectual preserving the King's person and government, by disabling papists from sitting in either house of parliament; or according to another act made in the eighth year of the reign of his late majesty King George the first, intituled, An act for granting the people called Quakers, such forms of affirmation or declaration as may remove the difficulties which many of them lie under; or according to another act made in the ninth year of the reign of his late majesty King George the second, intituled, An act for indemnifying persons who have omitted to qualify themselves for offices within the time limited by law, and for allowing further time for that purpose; and for amending so much of an act passed in the second year of the reign of his present Majesty, as requires persons to qualify themselves for offices before the end of the next term or quarter sessions; and also for enlarging the time limited by law for making and subscribing the declaration against transubstantiation; and for allowing a further time for inrolment of deeds and wills made by papists; and for relief of protestant purchasers, devisees, and lessees; or according to another act made in the eighteenth year of the reign of his late majesty King George the second, intituled, An act to amend and render more effectual an act passed in the fifth year of his present Majesty's reign, intituled, An act for the further qualification of justices of the peace; or according to another act made in the second year of the reign of his present Majesty, intituled, An act to explain, amend, and reduce into one act of parliament the several laws now in being relating to the raising and training the militia within that part of Great Britain called England; or according to another act made in the sixth year of the reign of his present Majesty, intituled, An act for altering the oath of abjuration and the assurance; and for amending so much of an act made in the seventh year of her late majesty Queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as after the time therein limited, requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason, or misprision of treason; have, through ignorance of the law, absence, or some unavoidable accident, omitted to take and subscribe the said oaths and assurance, and make and subscribe the declaration required by law, or otherwise to qualify themselves as aforesaid, within such time, and in such manner, as in and by the said acts respectively, or by any other

other act of parliament in that behalf made, is required; whereby they have incurred, or may be in danger of incurring, divers penalties and disabilities: for quieting the minds of his Majesty's subjects, and for preventing any inconveniencies that might otherwise happen by means of such omissions, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all and every person or persons who at, or before, the passing of this act, hath, or shall have, omitted to take and subscribe the said oaths and declarations, or to receive the sacrament of the Lord's supper, or otherwise to qualify him, her, or themselves, within such time, and in such manner, as in and by the said acts, or any of them, or by any other act of parliament in that behalf made, is required; and who, after accepting any such office, place, or employment, or undertaken any profession or thing, on account of which such qualification ought to have been had and is required, before the passing of this act, hath or have taken and subscribed the said oaths, or made the declarations required by law, and also received the sacrament of the Lord's supper according to the usage of the church of *England*; or who, on or before the twenty fifth day of *December*, one thousand seven hundred and sixty nine, shall take and subscribe the said oaths, declarations, and assurance respectively, in such cases wherein by law the said oaths, declarations, and assurance, ought to have been taken or subscribed, in such manner and form, and at or in such place or places, as are appointed in and by the said act made in the first year of the reign of his late majesty King *George* the first, or by any other act or acts of parliament in that behalf made and provided; and also hath or have received, or shall, on or before the said twenty fifth day of *December*, one thousand seven hundred and sixty nine, receive the sacrament of the Lord's supper according to the usage of the church of *England*, in such cases wherein the said sacrament ought to have been received; and hath or have made and subscribed, or shall, on or before the said twenty fifth day of *December*, one thousand seven hundred and sixty nine, make and subscribe the said declaration against transubstantiation; and also hath or have made and subscribed, or shall, on or before the said twenty fifth day of *December*, one thousand seven hundred and sixty nine, make and subscribe the said declaration in the said statute made in the thirtieth year of King *Charles* the second, in such cases wherein the said declarations ought to have been made and subscribed: and take and subscribe the oath directed by the said act made in the eighteenth year of the reign of his late majesty King *George* the second, in such cases wherein the said oath ought to have been taken and subscribed, in such manner as by the said act is directed; and also being a deputy lieutenant, or officer of the militia, shall, on or before the said twenty fifth day of *December*, one thousand seven hundred and sixty nine, leave his qualification in writing with the clerk of the peace, with whom he is by the

Persons who at, or before, the passing of this act, have omitted to qualify themselves for offices and employments, as the laws direct, &c.

and who shall duly qualify themselves on or before 25 Dec. 1769,

the said act made, in the second year of his present Majesty's reign, required to leave the same; shall be and are hereby indemnified, freed, and discharged, from and against all penalties, forfeitures, incapacities, and disabilities, incurred, or to be incurred, for or by reason of any neglect or omission, previous to the passing of this act, of taking or subscribing the said oaths or assurance, or receiving the sacrament, or making or subscribing the said declarations, or taking or subscribing the said oath, or leaving his qualification in writing with the clerk of the peace respectively, according to the above-mentioned acts, or any of them, or any other act or acts; and such person and persons is and are, and shall be, fully and actually recaptured and restored to the same state and condition as he, she, or they, were in before such neglect or omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned acts, and every of them; and that all elections of, and acts done, or to be done, by any such person or persons, or by authority derived from him, her, or them, are and shall be of the same force and validity as the same, or any of them, would have been, if such person or persons respectively had taken the said oaths or assurance, and received the sacrament of the lord's supper, and made and subscribed the said declarations, and taken and subscribed the said oath, and left his qualification in writing with the clerk of the peace, according to the direction of the said acts, and every or any of them; and that the qualification of such person or persons qualifying themselves in manner, and within the time, appointed by this act, shall be, to all intents and purposes, as effectual, as if such person or persons had respectively taken the said oaths and assurance, and received the sacrament, and made and subscribed the said declaration, and taken and subscribed the said oath, and left his qualification in writing with the clerk of the peace, within the time, and in the manner, appointed by the several acts before-mentioned.

II. Provided always, That this act, or any thing herein contained, shall not extend, nor be construed to extend, to indemnify any person against whom final judgement shall have been given in any action of debt, bill, plaint, or information, in any of his Majesty's courts of record, for any penalty incurred by having neglected to qualify himself within the time limited by law.

III. And whereas the appointments of divers clerks of the peace, town clerks, and other public officers, and the admissions of divers members and officers of cities, corporations, and borough towns, or the entries of such admissions in the court books, rolls, or records, of such cities, corporations, and borough towns, which, by several acts of parliament, are directed and required to be stamped, may not have been provided, or the same not duly stamped, or may have been lost or mislaid; be it further enacted by the authority aforesaid, That, for the relief of such persons whose appointments and admissions, or the entries

are indemnified for any such previous omission, and recaptured;

and all elections and acts done, or to be done, by them, &c. are declared to be as valid, as if they had before duly qualified themselves as the said several acts direct;

except in such cases where final judgement hath been given in any court for the penalty incurred by any such omission.

Town clerks, and other public officers,

and persons, whole appointments, and admissions, or entries of admissions in the court books, may not have been provided; or not duly stamped; or which have been lost or mislaid; providing, &c. the same on or before 25 Dec. 1769,

are confirmed in their offices,

and indemnified, notwithstanding such omission.

Offices, &c. already avoided by judgement of a court, and legally filled up, confirmed.

of whose admissions, as aforesaid, may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such persons, on or before the said twenty fifth day of *December*, one thousand seven hundred and sixty nine, to provide, or cause to be provided, appointments and admissions, or entries of admissions, as aforesaid, duly stamped, or in case where such appointments, admissions, or entries of admissions as aforesaid, have been made or provided, but have not been duly stamped, to produce such appointments, admissions, or entries of admissions, as aforesaid, to the commissioners appointed to inspect and manage the revenues of the stamp duties, to be duly stamped; which said commissioners are hereby authorized, impowered, and required, to duly stamp, on payment of the duties first payable, or to have been paid, on such appointments, admissions, or entries of admissions, as aforesaid, without any fine or forfeiture thereon; and such persons so providing appointments, admissions, or entries of admissions, as aforesaid, duly stamped, or procuring the same to be duly stamped, in manner aforesaid, are and shall be hereby confirmed and qualified to act as clerk of the peace, town clerk, or other publick officer, or member or members, officer or officers, of such cities, corporations, and borough towns respectively, to all intents and purposes; and shall and may hold and enjoy, and execute, such offices, or any other office or offices, into which he or they hath or have been elected, notwithstanding his or their omission, or the omission of any of their predecessors, in such cities, corporations, or borough towns, as aforesaid; and shall be indemnified and discharged of and from all incapacities, disabilities, forfeitures, penalties, and damages, by reason of any such omission; and none of his or their acts shall be questioned or avoided by reason of the same.

IV. Provided always, that this act, or any thing herein contained, shall not extend, or be construed to extend, to restore or intitle any person or persons to any office or employment, benefice, matter, or thing whatsoever, already actually avoided by judgement of any of his Majesty's courts of record, or already legally filled up and enjoyed by any other person; but that such office, employment, benefice, matter, or thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the person or persons who is or are now, or shall, at the passing of this act, be legally intitled to the same, as if this act had never been made.

CAP. XIII.

An act for the better paving, cleansing, lighting, and watching, the liberty of Saint Martin Le Grand, within the city and liberty of Westminster, in the county of Middlesex; and for preventing obstructions and annoyances therein.

CAP. XIV.

An act for appointing commissioners for putting in execution an act of this session of parliament, intituled, *An act for granting an aid to his Majesty by a land tax, to be raised in Great Britain, for the service of the year one thousand seven hundred and sixty nine*; and for securing and preserving duplicates of assessments, and other papers relating to the land tax.

CAP.

CAP. XV.

An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and sixty nine.

Preamble. Treasury impowered to raise any sum, not exceeding 1,800,000l. by loans or exchequer bills; in the same manner as by the malt act of this session is prescribed, with respect to loans or exchequer bills thereby authorized to be taken or made. The clauses in the said act relating to loans or bills, extended to this act. Exchequer bills so issued, not to be received again in payment of any taxes, nor exchanged, before 6 April, 1770. Action not to lie for such refusal. The money so raised, to be repaid out of the next parliamentary aids; if none be granted before 5 July, 1770, then to be charged on the sinking fund. Monies so issued, to be replaced out of the first supplies. Bank of England authorized to advance the said sum on the credit of this act; notwithstanding act 5 & 6 W. & M.

CAP. XVI.

An act to amend and render more effectual an act made in the twenty first year of the reign of King James the first, intituled, An act for the general quiet of the subjects against all pretences of concealment whatsoever.

WHEREAS an act of parliament was made and passed in the twenty first year of the reign of King James the first, intituled, An act for the general quiet of the subject against all pretences of concealment whatsoever; and thereby the right and title of the King, his heirs and successors, in and to all manors, lands, tenements, tythes, and hereditaments, (except liberties and franchises) were limited to sixty years next before the beginning of the said session of parliament; and other provisions and regulations were therein made, for securing to all his Majesty's subjects the free and quiet enjoyment of all manors, lands, and hereditaments, which they, or those under whom they claimed, respectively had, held, or enjoyed, or whereof they had taken the rents, revenues, issues, or profits, for the space of sixty years next before the beginning of the said session of parliament: and whereas the said act is now, by efflux of time, become ineffectual to answer the good end and purpose of securing the general quiet of the subject against all pretences of concealment whatsoever: wherefore be it enacted by the King's most excellent majesty, by and with the assent and consent of the lords spiritual and temporal, and the commons, in this present parliament assembled, and by the authority of the same, That the King's majesty, his heirs, or successors, shall not, at any time hereafter, sue, impeach, question, or implead, any person or persons, bodies politic or corporate, for or in any wise concerning any manors, lands, tenements, rents, tythes, or hereditaments whatsoever (other than liberties or franchises) or for or in any wise concerning the revenues, issues, or profits thereof, or make any title, claim, challenge, or demand, of, in, or to the same, or any of them, by reason of any right or title which hath not first accrued and grown, or which shall not hereafter first accrue and grow within the space of sixty years next before the filing, issuing, or commencing, of every such action, bill, plaint, information, commission, or other suit

Preamble.

Acts 21 Jac. I.

The crown disabled to sue, or implead any person, for any manors, lands, or hereditaments, &c. where the right hath not, or shall not first accrue and grow, within 60 years next before the commencing of such suit, &c.

and the subject secured in the free and quiet enjoyment thereof, as well against the crown, &c.

or proceeding, as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof; unless his Majesty, or some of his progenitors, predecessors, or ancestors, heirs, or successors, or some other person or persons, bodies politic or corporate, under whom his Majesty, his heirs, or successors, any thing hath or lawfully claimeth, or shall have or lawfully claim, have or shall have been answered by force and virtue of any such right or title to the same, the rents, revenues, issues, or profits thereof, or the rents, issues, or profits of any honour, manor, or other hereditament, whereof the premises in question shall be part or parcel, within the said space of sixty years; or that the same have or shall have been duly in charge to his Majesty, or some of his progenitors, predecessors, or ancestors, heirs, or successors, or have or shall have stood *in super* of record within the said space of sixty years: and that all and every person or persons, bodies politic and corporate, their heirs and successors, and all claiming by, from, or under them, or any of them, for and according to their and every of their several estates and interests which they have, or claim to have, or shall or may have or claim to have, in the same respectively, shall, at all times hereafter, quietly and freely have, hold, and enjoy, against his Majesty, his heirs and successors, claiming by any title which hath not first accrued or grown, or which shall not hereafter first accrue or grow, within the said space of sixty years, all and singular manors, lands, tenements, rents, tythes, and hereditaments whatsoever, (except liberties and franchises) which he or they, or his or their, or any of their ancestors or predecessors, or those from, by, or under whom they do or shall claim, have or shall have held or enjoyed, or taken the rents, revenues, issues, or profits thereof, by the space of sixty years next before the filing, issuing, or commencing of every such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof; unless his Majesty, or some of his progenitors, predecessors, or ancestors, heirs, or successors, or some other person or persons, bodies politic or corporate, by, from, or under whom his Majesty, his heirs, or successors, any thing hath or lawfully claimeth, or shall have or lawfully claim, in the said manors, lands, tenements, rents, tythes, or hereditaments, by force of any right or title, have been or shall have been answered, by virtue of any such right or title, the rents, revenues, issues, or other profits thereof, within the said space of sixty years; or that the same have or shall have been duly in charge, or stood *in super* of record as aforesaid, within the said space of sixty years: and furthermore that all and every person or persons, bodies politic and corporate, their heirs and successors, and all claiming or to claim by, from, or under them, or any of them, for and according to their and every of their several estates and interests which they have or claim, or shall or may have or claim, respectively, shall, for ever hereafter, quietly

ly and freely have, hold, and enjoy, all such manors, lands, tenements, rents, tythes, and hereditaments (except liberties and franchises) as they now have, claim, or enjoy, or hereafter shall or may have, claim, or enjoy, whereof his Majesty, his progenitors, predecessors, or ancestors, or whereof his Majesty, his heirs, or successors, or he or they by, from, or under whom his Majesty, his heirs, or successors, any thing hath or lawfully claimeth, or shall have or lawfully claim, or some of them, by force of some right or title to the same, have not or shall not have been answered, by virtue of such right or title, the rents, revenues, issues, or profits thereof, within the space of sixty years next before the filing, issuing, or commencing of every such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof, nor the same have been nor shall have been duly in charge, or stood *in super* of record as aforesaid, within the said space of sixty years, against all and every person and persons, as against all persons claiming any estate or interest therein, by colour of any letters patent, or grants upon suggestion of concealment or wrongful detaining, or not being in charge, or defective titles, or by, from, or under, any patentees or grantees, or any letters patents or grants, upon suggestion of concealment or wrongful detaining, or not being in charge, or defective titles, of or for which said manors, lands, tenements, rents, tythes, and hereditaments, or any of them, no verdict, judgement, decree, judicial order upon hearing, or sentence of any court now standing in force, hath been had or given, or any such verdict, judgement, decree, judicial order upon hearing, or sentence of court, shall hereafter be had or given, in any action, bill, plaint, or information, in any of his Majesty's courts at *Westminster*, for or in the name of the King's majesty, or any of his ancestors, progenitors, predecessors, heirs, or successors, or for any of the said patentees or grantees, or for their or any of their heirs or assigns, within the space of sixty years next before the filing, issuing, or commencing of every such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof as aforesaid.

II. Provided always, and be it enacted, That where the rents, revenues, issues, or profits of any manors, lands, tenements, tythes, or hereditaments, are or shall be in charge by, to, or with any auditor or auditors, or other proper officer or officers of the revenue, such rents, revenues, issues, and profits, shall be held, deemed, and taken to be duly in charge within the meaning and intent of this act; any usage or custom to the contrary notwithstanding,

III. Pro-

Cases wherein reversion, or remainders in the crown, of any manors, &c. are not liable to be impeached by this act.

III. Provided always, That this act, or any thing therein contained, shall not extend to bar, impeach, or hinder his Majesty, his heirs, or successors, of, for, or from, any manors, tenements, rents, tythes, or hereditaments, whereof any reversion or remainder now is in his Majesty, for or concerning the said reversion or remainder; nor of, for, or from any reversion or remainder, or possibility of reversion or remainder, in any of his Majesty's progenitors, or predecessors, or ancestors, which by the expiration, end, or other determination of any limited estate of fee-simple, or of any fee-tail or other particular estate, hath or ought to have first fallen or become in possession, or which shall or may or ought hereafter first to fall or come in possession, within the space of sixty years next before the filing, issuing, or commencing of any such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof; nor of, for, or from any right or title first accrued or grown to his Majesty, or any of his progenitors, predecessors, or ancestors, or which shall first accrue or grow to his Majesty, or any of his heirs, or successors, of, in, or to, any manors, lands, tenements, rents, tythes, or hereditaments, at any time or times within the space of sixty years next before the filing, issuing, or commencing, of any such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof, and not before.

Limitation of the act with respect to grants from the crown of any limited estate, &c.

IV. Provided also, and be it enacted by authority of this present parliament, That this act, or any thing therein contained, shall not extend to any manors, lands, tenements, rents, tythes, or hereditaments, mentioned to be granted or conveyed by any of his Majesty's progenitors, predecessors, or ancestors, or by any other under whom his Majesty claimeth, to any person or persons, of any limited estate in fee-simple, or of any estate in tail, or other particular estate, which several estates (if the same had been good and effectual in law) have or ought to have first fallen or become in possession, or will or ought first to fall or come in possession, within the space of sixty years next before the filing, issuing, or commencing, of any such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof as aforesaid; nor to any manors, lands, tenements, rents, tythes, or hereditaments, mentioned to be granted or conveyed by any of his Majesty's progenitors, predecessors, or ancestors, or by any other under whom his Majesty claimeth, to any person or persons in fee-tail, or other particular estate, whereof the reversion or inheritance (if such estate tail, or other particular estate, had been good and effectual in law) should have been and continued in his Majesty, or any of his progenitors, predecessors, or ancestors, or should or ought hereafter to be and continue in his Majesty, his heirs, or successors, at any time within the space of sixty years next before the filing, issuing, or commencing of any such action,

action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof as aforesaid.

V. Provided also, and be it enacted by the authority of this present parliament, That all and singular the said manors, lands, tenements, and hereditaments, shall at all times hereafter be holden of his Majesty, his heirs, and successors, and of other person and persons, bodies politic and corporate, their heirs and successors respectively, by the same tenures, services, fee-farms, chief rents, heriots, and other duties, to all intents and purposes, as the same should or ought of right to have been holden if the estates, rights, and interests, established and made sure by this present act, had been, before the making of this act, firm, good, and effectual in law.

The said manors, &c. to be holden of the crown upon the usual tenures, services, and duties.

VI. Saving to every person and persons, bodies politic and corporate; their heirs and successors (other than his most excellent Majesty, his heirs and successors, and other than all patentees or grantees of concealments, or defective titles, and all and every person or persons claiming from, by, or under them, or any of them, for or in respect or by reason of any such patents or grants of concealments, or defective titles) all such rights, title, interest, estate, rents, commons, customs, duties, profits, and other claims and demands whatsoever, in, to, or out of the said manors, lands, tenements, tythes, or hereditaments, as they or any of them had or ought to have had before the making of this act; any thing in this act to the contrary notwithstanding.

General reservation of rights.

VII. Provided also, and be it enacted, That where any fee farm rent, or other rent or rents, have been or shall be answered and actually paid to the King's majesty, or to any his predecessors, heirs, or successors, within the space of sixty years next before any action, bill, plaint, information, commission, or other suit or proceeding, shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof, out of any manors, lands, tenements, or hereditaments, of which manors, lands, tenements, or hereditaments, the estates, rights, or interests being defective, are established and made sure by this present act, that the King's majesty, his heirs and successors, shall from henceforth for ever have, hold, and enjoy the said rents, and arrearages thereof, in such manner and form, and as fully and amply, as the same are or were enjoyed at any time within the said space of sixty years.

Provision for securing to the crown such fee farm or other rents, &c. as have been paid within a limited time.

VIII. Provided always, and be it enacted, That nothing in this act contained shall extend or be prejudicial to the right, title, or claim, of any person or persons in or to any manors, lands, tenements, or hereditaments, by virtue of or under any grant or grants, letters patent or letters patents, from any of his Majesty's progenitors, ancestors, or predecessors, or by virtue of or under any grant or grants, letters patent or letters patents, from his Majesty, made or passed before the first day of January, one thousand

Right under any grant from the crown, of any manors, &c. made before 1 Jan. 1769, not prejudiced by this act,

if prosecuted
within a year.

thousand seven hundred and sixty nine ; so as such right, title, or claim, be prosecuted with effect by bill, plaint, information, or other suit or proceeding, in some of his Majesty's courts of record at *Westminster*, within the space of one year from the first day of *January*, one thousand seven hundred and sixty nine.

Right of the
crown to any
lands, &c.
within the
manor of East
Greenwich,
or district of
the Savoy,

IX. Provided always, and be it enacted, That nothing in this act contained shall extend or be prejudicial to any right, title, or claim, which his Majesty now hath to any lands, tenements, or hereditaments, within the manor of *East Greenwich*, in the county of *Kent* ; or to any messuages, lands, tenements, or hereditaments, within the precinct, district, or liberty, commonly called *The Savoy*, in the county of *Middlesex* ; or to any the manors, messuages, advowsons, buildings, lands, tenements, hereditaments, and appurtenances, being the estate and possession of the late hospital of the *Savoy*, or of the master and chaplains of the said hospital ; so as such right, title, or claim, be prosecuted with effect by bill, plaint, information, or other suit or proceeding, in some of his Majesty's courts of record at *Westminster*, within the space of two years from the first day of *January*, one thousand seven hundred and sixty nine.

not prejudic-
ed,

if prosecuted
within a years.

Provision de-
claring what
shall, or shall
not be deem-
ed a putting
in charge,
standing
in super, or
taking or an-
swering by or
to the crown,
&c.

X. Provided always, and be it enacted by the authority of this present parliament, That no putting in charge, nor standing *in super*, nor taking or answering the farm rents, revenues, or profits of any of the said manors, lands, tenements, or hereditaments, by force, colour, or pretext of any letters patent or grants of concealments, or defective titles, or of manors, lands, tenements, or hereditaments, out of charge, or by force, colour, or pretext, of any inquisitions, presentments, by or by reason of any commission or other authority to find out concealments, defective titles, or lands, tenements, or hereditaments out of charge, shall be deemed, construed, or taken to be a putting in charge, standing *in super*, or taking or answering the farm rents, revenues, or profits by or to his Majesty, or any of his progenitors or predecessors, heirs or successors ; unless thereupon such manors, lands, tenements, or hereditaments, have been or shall be, upon some information or suit, on the behalf of his Majesty, or some of his progenitors or predecessors, heirs, or successors, upon a lawful verdict given or to be given, or demurrer in law adjudged, or upon a hearing, ordered or decreed for his Majesty, or some of his progenitors or predecessors, heirs, or successors, or of some of them, within the space of sixty years next before the filing, issuing, or commencing of every such action, bill, plaint, information, commission, or other suit or proceeding as shall at any time or times hereafter be filed, issued, or commenced, for recovering the same, or in respect thereof as aforesaid.

C A P. XVII.

An act for enabling his Majesty to licence a playhouse in the city of York; and in the town and county of the town of Kingston upon Hull.

WHEREAS a licenced playhouse is much wanted in the city of York; and in the town and county of the town of Kingston upon Hull; may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of an act of parliament which passed in the tenth year of his late Majesty's reign, intituled, *An act to explain and amend so much of an act made in the twelfth year of the reign of Queen Anne, intituled, An act for reducing the laws relating to rogues, vagabonds, sturdy beggars, and vagrants, into one act of parliament; and for the more effectual punishing such rogues, vagabonds, sturdy beggars, and vagrants, and sending them whither they ought to be sent; whereby all persons are discharged to represent any entertainment of the stage whatever, in virtue of letters patent from his Majesty, or by licence from the lord chamberlain of his Majesty's household for the time being, except within the liberties of Westminster, or where his Majesty is residing for the time being, be, and the same is hereby repealed with respect to the said city of York, and town and county of the town of Kingston upon Hull respectively: and that it shall and may be lawful for his Majesty, his heirs, and successors, to grant letters patent for establishing a theatre or playhouse within the said city of York, and within the said town and county of the town of Kingston upon Hull respectively; both which playhouses shall be intitled to all the privileges, and subjected to all the regulations, to which any theatre or playhouse in Great Britain is intituled and subjected.*

Clause in act to Geo. 2. repealed with respect to the city of York, and town of Kingston upon Hull.

The crown impowered to grant letters patent for establishing a theatre in each of those places.

C A P. XVIII.

An act for amending and further continuing an act of the sixth year of his present Majesty's reign, intituled, An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

WHEREAS by an act passed in the sixth year of his present Majesty's reign, intituled, An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, *An act for punishing mutiny and desertion, and for the better payment of the army and their quarters; which act was to continue and be in force, in all his Majesty's dominions in America, from the twenty fourth day*

Preamble, re-citing act 6 Geo. 3.

day of March, in the year of our Lord one thousand seven hundred and sixty six, until the twenty fourth day of March, one thousand seven hundred and sixty eight; and which act has been further continued by several subsequent acts of parliament until the twenty fourth day of March, one thousand seven hundred and seventy: and whereas it has been found necessary that the said act should be continued for a further term; may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall be, and the same is hereby further continued until the twenty fourth day of March, one thousand seven hundred and seventy one.

The recited act further continued to 24 March, 1771.

Limitation of this act, touching the quartering the forces, or supplying them in their quarters, and furnishing carriages on their marches.

II. Provided always, and be it enacted by the authority aforesaid, That nothing contained in this or any other act by this act continued, touching the quartering his Majesty's forces, and the supplying them in their quarters, and the furnishing carriages on marches, and on other necessary occasions, shall extend or be construed to extend to any province, colony, or plantation, during such time as any law of such province, colony, or plantation, which shall have received the confirmation of his Majesty in council, shall be in force, for providing quarters for his Majesty's officers and soldiers, and for furnishing them in their quarters, and for providing carriages for them on marches, or on any other necessary occasion, within such province, colony, or plantation.

Directions with respect to providing quarters for troops, as well on their march, as when stationed in any place.

III. Provided always, and be it enacted, That whenever any troops shall march through or be stationed in any place in *North America*, it shall and may be lawful for the civil magistrates, select men, or other person or persons (appointed by act of parliament, or by any law of such province, colony, or plantation, as aforesaid, to quarter and make provision for troops) as likewise for the officer commanding the troops so marching or stationed as aforesaid, by mutual agreement, signed by the respective parties, to provide quarters for the said troops, in any manner most convenient to them and to the country, any act or thing to the contrary notwithstanding, so as that no expence be brought on the crown by such agreement.

C A P. XIX.

An act to impower the high court of Chancery to lay out, upon government securities, a further sum of money, not exceeding a sum therein limited, out of the common and general cash in the bank of England belonging to the suitors of the said court; and to apply the interest arising therefrom towards answering the charges of the office of the accountant general of the said court.

Preamble, reciting clauses

WHEREAS by an act of parliament passed in the twelfth year of the reign of his late majesty King George the Second, intituled,

intituled, An act to impower the high court of Chancery to lay in act 12 Geo.
 out, upon proper securities, any monies, not exceeding a sum^{2.}
 therein limited, out of the common and general cash in the
 bank of *England* belonging to the suitors of the said court, for
 the ease of the said suitors, by applying the interest arising
 therefrom for answering the charges of the office of the account-
 general of the said court; *a provision is made for the support and*
maintenance of the office of accountant general of the court of Chan-
cery, by directing certain payments to be made in the manner therein
mentioned to the said accountant general and his two clerks for their
salaries, in lieu of, and in recompence for, all fees whatsoever that
would be due and payable to the said office by the suitors: and where-
as by another act of parliament passed in the fourth year of the reign
of his present Majesty, intituled, An act to impower the high
 court of *Chancery* to lay out, upon proper securities, a further
 sum of money, not exceeding a sum therein limited, out of the
 common and general cash in the bank of *England* belonging to
 the suitors of the said court; and for applying the interest arising
 therefrom towards answering the charges of the office of the
 accountant general of the said court; *a further provision is made*
for the support and maintenance of the said office, by directing a cer-
tain payment to be made in the manner therein mentioned to the said
accountant general's third clerk for his salary, in lieu of, and in re-
compence for, all fees whatsoever: and whereas since the passing the
said last mentioned act, the money and effects belonging to the suitors
of the said court, under the care and direction of the said accountant
general, are greatly increased; by reason whereof the necessary busi-
ness of the said office is grown so extensive and laborious, that the
provisions made by the said acts are become inadequate to the attend-
ance, trouble, and importance of the said office, and insufficient to
answer the charges attending the execution thereof: wherefore, in
 order to make a further provision for the said office, be it en-
 acted by the King's most excellent majesty, by and with the ad-
 vice and consent of the lords spiritual and temporal, and com-
 mons, in this present parliament assembled, and by the autho-
 rity of the same, That out of the cash that now lies, or shall
 hereafter lie, dead and unemployed in the bank of *England* be-
 longing to the suitors of the court of *Chancery*, a sum not ex-
 ceeding twenty thousand pounds shall and may, by virtue of
 any order or orders of the said court to be made for that pur-
 pose from time to time, be placed out in one entire sum, or in
 parcels, in such government or parliamentary securities as in
 and by such order or orders shall be directed; to the intent
 that the interest and annual produce arising from the money so
 to be placed out as aforesaid may be applied for the purposes
 herein after mentioned; and that the said court of *Chancery* may,
 by order or orders of the said court, from time to time, change
 the security or securities in which the said monies shall be so
 placed out, as the said court shall think expedient.

and act 4 Geo.
3.

Court of
Chancery im-
powered to
lay out, upon
government
securities,
20,000 l. of
the suitors
money in the
bank;

and to change
the security
from time to
time;

II. And be it further enacted, That the interest and annual
 produce arising from the said securities shall, from time to time,
 be received by the bank,

and placed to be received by the governor and company of the bank of *England*, and placed to the credit of the same account which was raised in the books kept there, for the suitors of the said court, by virtue of the said act herein before first mentioned, of interest arising from money placed out in pursuance of the said act; and that out of such interest and annual produce there shall be paid, by quarterly payments, the annual sum of four hundred and sixty pounds; which payment shall be made by the governor and company of the bank of *England*, by virtue of an order or orders of the court of *Chancery* to be made for that purpose; *videlicet*, To the accountant general of the court of *Chancery*, the sum of two hundred and fifty pounds; to his first clerk, the sum of fifty pounds; to his second clerk, the sum of forty pounds; and to his fourth clerk, the sum of one hundred and twenty pounds; which said salaries shall commence from the eighth day of *April* in the year of our Lord one thousand seven hundred and sixty nine, and shall, together with the salaries appointed by the said act herein before mentioned, be free from parliamentary taxes, and in lieu of, and in recompence and satisfaction for, all fees whatsoever which from that time shall or would be due or payable to the said office by the suitors; and that the residue of the interest and annual produce arising from the said securities shall be accounted for as herein after mentioned.

III. Provided always, and be it further enacted and declared, That if at any time hereafter the whole or any part of the said sum of twenty thousand pounds shall be wanted to answer any of the demands of the suitors of the said court of *Chancery*; then, and in such case, the said court may and shall direct the same, or any part thereof, to be called in, or the securities in which the same shall be placed to be disposed of; in order that the suitors of the said court may at all times be paid their respective demands out of the common and general cash belonging to such suitors.

IV. And whereas the interest arising from the securities purchased in pursuance of the said before recited acts of parliament, and also from the securities purchased in pursuance of another act of parliament passed in the fifth year of the reign of his present Majesty, intituled, An act to empower the high court of *Chancery* to lay out, upon government securities, a sum of money therein mentioned, out of the common and general cash in the bank of *England* belonging to the suitors of the said court, and to apply the interest arising therefrom towards augmenting the income of the masters of the said court, is more than sufficient to pay and satisfy the salaries directed to be paid by the said acts; be it further enacted, That the surplus interest that hath arisen, and shall or may arise, from the securities purchased and to be purchased in pursuance of the said acts of parliament, and of this present act, together with the interest that shall be produced from the securities to be purchased with such surplus interest, shall or may, by any order or orders of the said court of *Chancery*, to be made for

the suitors
credit;

out of which,
460l. per ann.
is to be paid
in salaries;
viz.

250l. to the
accountant
general;

50l. to his
first clerk;

40l. to his se-
cond clerk;
and 120l. to
his fourth
clerk;

free from
taxes, and in
lieu of all
fees:

The residue
to be brought
to account.

If the whole,
or any part of
the said sum,
be wanted to
answer the
suitors de-
mand, the
court may
call it in.

Act 5 Geo. 3.

The surplus
interest upon
the securities,
purchased in
pursuance of
the recited
acts,

for that purpose, from time to time, be placed out on government securities; and that the interest or annual produce arising from the said securities shall, from time to time, be received by the governor and company of the bank of *England*; and so much thereof as shall arise from securities to be purchased with the surplus interest, produced and to be produced from securities purchased in pursuance of the said acts of the twelfth year of the reign of his late majesty King *George* the Second, and of the fourth year of the reign of his present Majesty, and to be purchased in pursuance of this present act, shall be placed to the credit of an account, to be raised in the books kept at the bank for the suitors of the said court, of securities purchased with the surplus money placed to the account of interest arising from monies placed out in pursuance of an act of parliament passed in the twelfth year of his late majesty King *George* the Second; and so much thereof as shall arise from securities to be purchased with the surplus interest, produced and to be produced from securities purchased in pursuance of the said act of the fifth year of the reign of his present Majesty, shall be placed to the credit of an account, to be raised in the said books kept in the bank, of securities purchased with the surplus money placed to the account of interest arising from monies placed out in pursuance of an act of parliament passed in the fifth year of the reign of his present Majesty.

to be placed out, by order of the court and the interest thereof to be received by the bank, and carried to account.

CAP. XX.

An act to enable the justices of the peace in the general quarter sessions of their respective counties and divisions to repair the shire halls, county halls, or other buildings, wherein the assizes or grand sessions are usually held.

WHEREAS doubts have arisen in several counties within the kingdom of England, and principality of Wales, whether there be any lawful authority for the repairing shire halls, or other buildings usually made use of for the holding the assizes or grand sessions within such counties: for the clearing such doubts, and for making provision for repairing the same whenever it shall be necessary, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the justices of the peace in their respective general or quarter sessions, or the greater part of them then and there assembled, within the limits of their commissions, upon presentment of the grand jury at the assizes or great sessions, or general gaol delivery held for the said county at their shire hall, or other building usually made use of for the holding the assizes or great sessions within such county, of the ill state and condition of any such shire hall, or other building, and the necessity of repairing the same, to order and direct, in pursuance of such presentment, such

The justices at their quarter sessions are empowered, upon presentment of the grand jury at the assizes, &c.

to repair such shire hall, or other building, to be repaired in such manner as they in their discretions shall think fit; and shall assess and rate all and every sum and sums of money which shall be laid out and expended in repairing the same upon the several hundreds, lathes, wapentakes, rapes, cities, towns, parishes, townships, wards, or other divisions, of the said county; and to cause and direct the same to be collected, levied, and paid, and the same shall be collected, levied, and paid, in the same manner, and by and to the same officers and other persons, and under the same conditions, terms, limitations, restrictions, pains, penalties, and forfeitures, as other county rates are ordered and directed to be assessed, rated, collected, levied, and paid, in and by an act passed in the twelfth year of the reign of his late majesty King George the Second, intituled, *An act for the more easy assessing, collecting, and levying, county rates*; and in and by a clause in an act passed in the thirteenth year of the said King, intituled, *An act to continue several laws therein mentioned for punishing such persons as shall wilfully and maliciously pull down or destroy turnpikes; for repairing highways or locks, or other works erected by authority of parliament for making rivers navigable; for preventing exactions of the occupiers of locks and weirs upon the river of Thames westward, and for ascertaining the rates of water carriage upon the said river; for preventing frivolous and vexatious arrests; and for better securing the lawful trade of his Majesty's subjects to and from the East Indies, and for the more effectual preventing all his Majesty's subjects trading thither under foreign commissions; and for limiting the time for suing forth writs of Certiorari upon proceedings before justices of the peace, and for regulating the time and manner of applying for the same; for the better and more speedy execution of process within particular franchises or liberties; and for extending the powers and authorities of justices of peace of counties, touching county rates, to the justices of the peace of such liberties and franchises as have commissions of the peace within themselves.*

12 Geo. 2.

& 13 Geo. 2.

But where any shire hall, &c. has time out of mind been repaired at the expence of particular places, &c. the same is to be kept in repair at the expence of the inhabitants of such places, &c.

Where sudden repairs not exceeding 10l. are wanted, two justices may make an order therein

II. Provided always, and be it further enacted by the authority aforesaid, That in cases where any shire hall, county hall, or other building usually made use of for the holding the assizes or great sessions, hath for time out of mind been repaired at the expence of any particular person or persons, riding or ridings, division or divisions, part or parts, of any county or shire, the same shall for ever hereafter be repaired at the expence of the inhabitants of such riding or ridings, division or divisions, part or parts, as they have heretofore been; and the sums and sum of money to be laid out in repairing the same shall be assessed, rated on, and collected, levied and paid, by such division or divisions, part or parts, of such county, in the manner in this act herein before directed.

III. Provided nevertheless, and it is hereby further enacted, That if there should be occasion for any sudden repairs which will not cost more than the sum of thirty pounds, it shall be lawful for any two justices of the peace of such county, division, riding or place, after having viewed the same, and an estimate of

of able workmen made of the expence thereof, to order the same to be repaired, and the money to be raised upon the county, in the same manner as it is by this act appointed to be raised after a presentment of the grand jury.

IV. Provided, and be it also further enacted, That all cities, Corporations, rapes, wapentakes, boroughs, towns, ports, parishes, townships, or other places, or divisions, or person or persons, which are now bound and obliged by law and ancient usage to repair any such shire hall, county hall, or other buildings for the holding the assizes or great sessions, or to furnish the same with benches, tables, rails, or other fixtures, and to keep the same in repair, shall for ever hereafter be bound and obliged to repair the same, and to furnish the same with benches, tables, rails, and other fixtures, and to keep the same in repair; any thing in this act to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, That if any action, plaint, suit, or information, shall be commenced or prosecuted against any person or persons for what he or they shall do in pursuance or in execution of this act, such person or persons so sued in any court whatsoever shall and may plead the general issue, Not guilty, and upon any issue joined may give this act and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or forbear further prosecution, or suffer a discontinuance, or if a verdict pass against him, the defendants shall recover their treble costs, for which they shall have the like remedy as in any case when costs by the law are given to defendants.

CAP. XXI.

An act for the more effectual paving, cleansing, lighting, and watching, the streets, lanes, alleys, and publick passages, in the town of Gainf-burgh, in the county of Lincoln; and for laying a duty on all coals brought to the said town to be sold, and for applying the same to such purposes.

CAP. XXII.

An act to amend, and render more effectual an act passed in the seventh year of his present Majesty, intituled, *An act for paving the streets, and other places, in that part of the parish of Saint Botolph Aldgate which lies in the county of Middlesex; and part of a street, called East Smithfield, in the precinct of Saint Catherine; and for cleansing, lighting, and watching the same, and preventing obstructions and annoyances therein.*

CAP. XXIII.

An act to amend and render more effectual an act of the twenty eighth of his late Majesty, for the better enlightening and cleansing the open places, squares, streets, lanes, alleys, passages, and courts, within the parish of Saint Bartholomew the Great, London, and regulating the nightly watch and beables within the said parish; and for empowering the trustees, in the said act named, to pave the said streets and other places within the said parish, and to remove annoyances and obstructions.

CAP. XXIV.

An act for carrying into execution certain proposals made by the East India company for the payment of the annual sum of four hundred thousand pounds, for a limited time, in respect of the territorial acquisitions and revenues lately obtained in the East Indies.

Preamble, re-
citing act
7 Geo. 3.

Proposals
made by the
East India
company for
a further
agreement.

WHEREAS by an act made in the seventh year of the reign of his present Majesty, intituled, An act for establishing an agreement for the payment of the annual sum of four hundred thousand pounds, for a limited time, by the East India company, in respect of the territorial acquisitions and revenues lately obtained in the East Indies, it was directed, that the united company of merchants of England trading to the East Indies, and their successors, should pay into the receipt of his Majesty's exchequer, for his Majesty's use, the sum of four hundred thousand pounds per annum, during the term of two years, to be computed from the first day of February one thousand seven hundred and sixty seven, by half yearly payments of two hundred thousand pounds each, at or before such times as are therein limited; and it was thereby enacted and declared, that all the territorial acquisitions and revenues (in the said act before mentioned) lately obtained in the East Indies, should remain in possession of the said company and their successors during the said term of two years: and whereas the said company have made proposals to enter into a further agreement respecting the said acquisitions and revenues upon the terms and conditions herein after mentioned, that is to say, first, That four hundred thousand pounds a year be continued to the public for five years, from the first of February one thousand seven hundred and sixty nine: secondly, That the company be at liberty to increase their dividend to twelve and an half per centum during the said term, so as not to exceed one per centum in any one year: thirdly, That if the company shall, during the said term, be obliged to reduce their dividends from any cause whatsoever, in such case there shall be deducted from the sum agreed to be paid for the use of the public, a sum equal to such reduction; and in like manner, if the company's dividends shall at any time during the said term be again raised or restored, the public shall receive equal benefit; but if the said dividends shall be reduced to six per centum, then the payment to the public shall be discontinued: fourthly, That the company shall be obliged to export in every year, during the continuance of this agreement, goods and merchandizes of the growth, produce, or manufacture of Great Britain, (military and naval stores excepted) of the like value as they shall appear to have exported annually on an average of five years preceding this agreement: fifthly, That if any surplus of cash shall remain in England, during the said term, after the discharge of the company's simple contract debts bearing interest, and the reduction of the company's bond debt to the debt which shall be due from the public to the company, then such surplus shall be lent to the public at two per centum per annum: and whereas it may be for the benefit of the public and the said company, that proper

pro.

provisions should be made for carrying the said proposals into effectual execution: now we your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said united company of merchants of *England* trading to the *East Indies*, and their successors, shall advance and pay into the receipt of his Majesty's exchequer, for his Majesty's use, the sum of four hundred thousand pounds *per annum*, for and during the term of five years, to be computed from the first day of *February*, one thousand seven hundred and sixty nine, by half yearly payments of two hundred thousand pounds each; which half yearly payments of two hundred thousand pounds shall become due on the first day of *August* and the first day of *February* in each year; and such of the said half yearly payments as shall so become due on the first day of *August* in each year, shall be made on or before the twenty fifth day of *March* next ensuing; and such of the said half yearly payments as shall so become due on the first day of *February* in each year, shall be made on or before the twenty ninth day of *September* next ensuing such first day of *February* respectively in each year; the first of which half yearly payments shall become due on the first day of *August*, one thousand seven hundred and sixty nine, and be made on or before the twenty fifth day of *March*, one thousand seven hundred and seventy: and in case the said united company of merchants of *England* trading to the *East Indies*, or their successors, shall make failure in any of the said payments hereby appointed to be made into the receipt of his Majesty's exchequer on or before the respective days or times herein before limited, that then, from time to time, as often as such case shall so happen, the money whereof such failure in payment shall be made shall and may be recovered to his Majesty's use, by action of debt, or upon the case, bill, suit, or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, privilege, or wager of law, shall be allowed, or any more than one imparlance; in which action, bill, suit, or information, it shall be lawful to declare, that the said united company of merchants of *England* trading to the *East Indies*, or their successors, are indebted to his Majesty the monies of which they shall have made default in payment according to the form of this statute, and have not paid the same, which shall be sufficient; and in or upon such action, bill, suit, or information, there shall be further recovered to his Majesty's use against the said united company of merchants of *England* trading to the *East Indies*, or their successors, damages after the rate of fifteen pounds *per centum per annum* for the respective monies so unpaid contrary to this act, together with full costs of suit; and the said united company and their successors, and all their stock, funds,

400,000 l. per ann. to be paid by the company into the exchequer, for the term of 5 years, by half yearly payments, of 200,000 l. each.

First payment to become due on 1 Aug. 1769; and to be made by 25 March 1770.

On default of payment, a suit to be instituted for recovery thereof,

with damages after the rate of 15 l. per cent. per ann. with full costs.

funds, and all other their estates and property whatsoever, shall be and are hereby made subject and liable to the payment of such monies, damages, and costs.

Territorial acquisitions, &c. to remain in the company.

II. And it is hereby further enacted and declared by the authority aforesaid, That all the said territorial acquisitions and revenues lately obtained in the *East Indies*, shall remain in the possession of the said united company, and their successors, during the said term of five years.

Monies paid into heretofore for the disposition of parliament. Company at liberty to increase their dividends;

III. And be it further enacted by the authority aforesaid, That the monies which shall be paid into the receipt of his Majesty's exchequer, in pursuance of this act, shall be there reserved to be disposed of and appropriated by parliament.

IV. And be it further enacted by the authority aforesaid, That the said united company, and their successors, during the said term of five years, shall be at liberty, from time to time, to increase the dividends upon their capital stock; so that any such increase of dividend shall not in any one year, during the said term of five years, exceed the sum of one pound *per centum* on such capital stock; and so that by any such addition or additions, the dividends to be made upon the said stock shall not exceed in the whole, at any one time during the said term, the rate of twelve pounds and ten shillings *per centum per annum*.

but if their dividends shall be reduced,

V. And be it further enacted and declared by the authority aforesaid, That if the said united company, or their successors, shall, for and during any time or times within the said term of five years, reduce the dividends upon their said stock; then, and in every such case, there shall, for and during the time or times respectively of every such reduction or reductions, be deducted from the said sum of four hundred thousand pounds

the sums payable by them into the exchequer are to be reduced likewise;

per centum, a sum or sums equal to the amount of each and every such reduction; and if at any time or times, within the said term of five years, the said united company, or their successors, shall reduce the dividends upon their said stock to or under the rate of six pounds *per centum per annum*, then in every such case, during the respective continuance of every such reduction, the said company shall be and are hereby discharged from the payment of the said sum of four hundred thousand pounds, or such part thereof as would have become due to the public, during the continuance of such reduction; and that if, after any reduction of the dividends of the said company as aforesaid, it shall happen that the dividends of the said company shall be again increased to any rate exceeding the rate of six pounds *per centum per annum*, then and in every such case respectively, from time to time, as often as the case shall happen, such payment or payments shall be made by the said company, or their successors, for the use of the public, as shall be equal to the amount of the entire sum which shall be paid in the dividends of the said company during the respective continuance thereof; all which payments shall be made in the same manner, and at such times, and recovered by the same and the like process, and with the same damages, as are herein before enacted, with respect

but if they be again increased, the payments are to be made accordingly.

to

to the payment and recovery of the said sum of four hundred thousand pounds *per annum* by half yearly payments of two hundred thousand pounds in each payment.

VI. And be it further enacted by the authority aforesaid, That during the term of five years, to be computed from the twenty ninth day of *September*, one thousand seven hundred and sixty eight, the said united company, or their successors, shall and are hereby required to export from *Great Britain* in each and every year, during such term, to the *British* settlements within the limits prescribed by the said company's charter for their carrying on an exclusive trade in the *East Indies*, or elsewhere, upon the account of the said company or their successors in their course of trade, exclusive of what may be exported by their servants, or private traders licenced by the said company or their successors, such goods and merchandizes of the growth, produce, or manufacture of *Great Britain*, as shall amount in value to the sum of three hundred and eighty thousand eight hundred and thirty seven pounds, in each and every such year; but the amount of the value of the military and naval stores so exported, shall not be esteemed or reckoned as part of the said sum of three hundred and eighty thousand eight hundred and thirty seven pounds *per annum*; and the said company, or their successors, shall, on or before the first day of *June*, in the year one thousand seven hundred and sixty nine, and on or before the first day of *June* in each of the four succeeding years, give security by bond to his Majesty, his heirs, and successors, under the common seal of the said company, or of their successors, in the penal sum of double the said sum of three hundred and eighty thousand eight hundred and thirty seven pounds, for the due exportation of the said goods and merchandizes annually to the amount of the said sum of three hundred and eighty thousand eight hundred and thirty seven pounds, according to the real value of such goods and merchandizes in this kingdom at the time of such exportation, or of the purchase thereof by or on the behalf of the said company, or their successors; which security the high treasurer, or the commissioners of his Majesty's treasury for the time being, or any three or more of such commissioners, is or are hereby authorized to take; and the said company, or their successors, shall, on or before the thirty first day of *October* in the year one thousand seven hundred and sixty nine, and on or before the thirty first of *October* in each of the four succeeding years, deliver to the said high treasurer, or commissioners, an account in writing, signed by two or more of the directors of the said company for the time being, specifying the particular goods and merchandizes which shall have been so exported in every such year, in pursuance of and according to the true intent and meaning of this act, with the said true and real values of such goods and merchandizes, with the names of the ships in which the same were respectively so exported; and which account shall be verified on oath made before any one justice of the peace

Exports required to be made by the company.

Bond to be given for the due exportation thereof;

and a specification of the goods, &c. exported, with their value, to be delivered annually to the treasury, &c.

and verified upon oath;

and according
as the same
shall appear
to the trea-
surer, the
bonds are to
be delivered
up, or put in
suit.

(which oath such justice is hereby authorized and required to administer) by the proper officers or servants of the said company, or their successors, who shall keep their books for the entry of goods outwards to the best of their knowledge: and if it shall appear to the satisfaction of the said high treasurer, or commissioners, that goods and merchandizes shall have been, agreeably to the directions of this act, exported as aforesaid in the respective year in relation whereto each bond shall have been so given; then, in each and every such case, the said high treasurer, or commissioners, shall cause such bond to be delivered up; but in case no such account shall be delivered as herein before mentioned, or if it shall appear that the said goods and merchandizes, exported within the term mentioned in any such bond, shall not have amounted to such value as aforesaid, or that any such account shall appear not to be truly made, it shall and may be lawful for the said high treasurer, or commissioners, to cause each and every such bond to be prosecuted according to law, unless he or they shall find sufficient cause to forbear the same.

Excess made
in the export
of goods in
one year,

is to be taken
into the suc-
ceeding year's
account.

VII. Provided always, and be it enacted by the authority aforesaid, That in case the said company, or their successors, shall in any one of the said five years export, or cause to be exported, such goods and merchandizes of the growth, produce, or manufacture, of *Great Britain*, exceeding in value the sum of three hundred and eighty thousand eight hundred and thirty seven pounds; then, and in such case, the said excess shall, from time to time, be taken into the account of the exports of such goods and merchandizes by the said company, or their successors, in and for the next succeeding year, and shall be allowed and considered as part thereof.

What money
the company
shall have in
Great Britain
after dis-
charge of
their simple
contract and
other debts,

is to be lent
to the public
at 2 l. per cen-
tum per an-
num interest.

A state of the
company's
simple con-
tract and
bond debts

VIII. And be it further enacted by the authority aforesaid, That if at any time or times during the said term of five years commencing from the first day of *February*, one thousand seven hundred and sixty nine, any sum or sums of money belonging to the said united company, or their successors, shall remain in *Great Britain* after the discharge of the said company's simple contract debts bearing interest, and the reduction of the said company's debts to such sum as shall be equal only or inferior to the debt which shall be due from the public to the said company; then the monies so, from time to time, remaining as aforesaid, shall be, and are hereby required to be, advanced and lent by the said company and their successors to the public, at and after the rate of two pounds *per centum per annum* interest, payable out of such proper and sufficient fund or funds, and in such manner, as shall be settled by parliament; and to be paid quarterly to the said company and their successors, until the redemption and discharge of the capital monies so advanced and lent, shall be made by parliament; and that the said company, or their successors, shall, and they are hereby directed and required, from time to time, before the expiration of ten days after the beginning of the next and every succeeding session of par-

parliament, during the said term of five years, commencing from the first day of *February* one thousand seven hundred and sixty nine, and of the session of parliament succeeding the expiration of the said term, to give in and deliver unto the high treasurer or commissioners of his Majesty's treasury for the time being, a true and exact account of the state of the said simple contract debts bearing interest, and of their bond debts, at the time of delivering in every such account respectively, and also an account of the state of their cash remaining in *Great Britain*; all which accounts shall be fairly written, and shall be signed by two or more of the directors of the said company; and oath shall be made of the truth of every such account, by the proper officers or servants of the said company before any one justice of the peace, which oath such justice is hereby authorized and required to administer.

to be given in annually upon oath to the treasury,

with a state of their cash.

C A P. XXV.

An act for making perpetual an act made in the first year of the reign of his present Majesty, intituled, An act to continue the duties for encouragement of the coinage of money.

May it please your most excellent Majesty;

WHEREAS an act was made in the first year of your Majesty's reign, intituled, An act to continue the duties for encouragement of the coinage of money, whereby the duties and laws therein mentioned or referred to were continued for the term of seven years, to commence from the first day of March, one thousand seven hundred and sixty one, and until the end of the first session of parliament then next following: and whereas by an act made in the last session of parliament, intituled, An act for further continuing certain laws to prohibit for a limited time the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour; for further allowing the importation of wheat and and wheat flour, barley, barley-meal, and pulse, free of duty, into this kingdom, from any part of *Europe*; and for allowing the importation of oats and oat-meal, rye and rye-meal, into this kingdom, for a limited time, free of duty; and also for continuing such other laws as will expire before the beginning of the next session of parliament; the said act made in the first year of your Majesty's reign was continued until the end of this present session of parliament: and whereas it is expedient that the said act made in the first year of your Majesty's reign should be made perpetual: we your Majesty's most dutiful and loyal subjects, the commons of *Great Britain* in parliament assembled, do humbly pray your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act made in the first year of his present Ma-

Preamble, reciting clauses in act 1 Geo.

and 3 Geo 3.

The recited
act of 1 Geo.
3. made per-
petual.

Majesty's reign, intituled, *An act to continue the duties for encouragement of the coinage of money*, and all the clauses, powers, provisions, directions, rules, and articles, therein contained, shall be, and are hereby, made perpetual; and shall continue in force, and be carried into execution, as fully and effectually as if the same were particularly repeated and re-enacted in the body of this present act, and as if there had not been any limitation of time whatsoever expressed in the said act for the determination thereof, or of any matter therein contained.

CAP. XXVI.

An act for the relief of insolvent debtors.

Preamble.

WHEREAS many persons, by losses and other misfortunes, are rendered incapable of paying their whole debts; and though they are willing to make the utmost satisfaction they can, and many of them are able to serve his Majesty by sea or land, yet are detained in prison by their creditors, or have been forced to go into foreign parts out of this realm: and whereas such unhappy debtors have always been deemed the proper objects of publick compassion; and, by several acts of parliament, have been discharged on the conditions in such acts mentioned: for the relief therefore of insolvent prisoners and fugitives who shall comply with the terms contained in this act to be respectively observed by them, and faithfully discover, upon oath, and deliver up and assign, all their effects and estates whatsoever for the benefit of their creditors; and to prevent, as far as possible, the many frauds and abuses which, in a great measure, have obstructed the good ends of such acts; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, all and every gaoler, or keeper of any prison, in any county, riding, division, city, town, place, or liberty, within this kingdom, shall, is, and are hereby required to make a true, exact, and perfect list, alphabetically, of the name or names of all and every person or persons who, upon the twenty ninth day of September, one thousand seven hundred and sixty eight, was or were, or at any time since have been, and at the time of making out every such list shall be, really an actual prisoner or prisoners, in the custody of any gaoler or goalers, or keeper of any prison respectively, upon any process whatsoever, for or by reason of any debt, damage, costs, sum or sums of money, contempt, or otherwise, and an account of the time when such prisoner or prisoners was or were respectively charged in custody, or received in prison, together with the name or names of the person or persons at whose suit or prosecution such prisoner or prisoners is or are detained; and shall deliver the same to the justices of the peace at their first or second general or general quarter sessions of the peace, to be held after the first day of June, one thousand seven hundred and sixty nine, or at some adjournment thereof, for such county, riding, division, city, town, place, or liberty respectively.

Alphabetical
lists to be
made out of
prisoners in
custody for
debt on 29
Sept. 1768, or
since then;

with the time
when charged,
and at
whose suit:

The same to
be delivered
in to the quar-
ter sessions.

II. And

II. And be it further enacted, That the warden of his Majesty's prison of the *Fleet*, and marshal of the *King's Bench* prison, shall severally, on the delivering in of any such list of prisoners in their respective custody, take an oath in the open court of such general or general quarter session of the peace, or at some adjournment thereof, to the effect following; (that is to say)

The warden of the *Fleet*, and marshal of the *King's Bench* prison, to take the following oath on delivering in their lists.

I A. B. upon my corporal oath, in the presence of Almighty God, do solemnly swear, profess, and declare, That all and every person and persons, whose name or names is or are inserted and contained in the first part of the list by me now delivered in and subscribed, was and were, to the best of my knowledge and belief, upon the twenty ninth day of September, one thousand seven hundred and sixty eight, really and truly prisoners, in actual custody, in the prison or gaol of [insert the name of the prison] at the suit or suits of the several person or persons therein respectively mentioned; and also that all and every person and persons, whose name or names is or are inserted or contained in the second part of the said list now by me delivered in and subscribed as aforesaid, have, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, been committed or surrendered to the said gaol or prison of [insert the name of the gaol or prison] at the suit or suits of the several person or persons therein respectively mentioned; except such person or persons who is or are in such list particularly mentioned and described to have died, been discharged, or removed to some other prison, by process of law, since the said twenty ninth day of September, one thousand seven hundred and sixty eight; and also except such person or persons who is or are in such list particularly mentioned and described to have been permitted to have gone out of the said prison, by day rules of the court of [Common Pleas or King's Bench, as the case shall be] since the said twenty ninth day of September, one thousand seven hundred and sixty eight, to transact their affairs; and also except such person or persons who is or are therein also particularly mentioned and described to have, upon the said twenty ninth day of September, one thousand seven hundred and sixty eight, or since, been in the rules of the said prison [of the *Fleet* or *King's Bench*, as the case shall be] by leave of the [warden or marshal of the said prison, as the case shall be] and have, to the best of my knowledge and belief, really and truly, ever since continued and remained in actual custody in the said prison [of the *Fleet* or *King's Bench*, as the case shall be] or the liberties thereof, at the suit or suits of the several persons in the said list respectively mentioned [and if any prisoners have, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, escaped out of either of the said prisons] then insert, except [insert the name or names of the prisoner or prisoners who have escaped] who, without my knowledge, privity, or consent, hath or have escaped out of the said prison of and that the said list is a true, exact, perfect, and just list of all such persons who were really and truly prisoners in actual custody in the said gaol or prison of on the said twenty ninth day of September, one thousand seven hundred and sixty

sixty eight, and who, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, have been committed to, and really have been, and now is or are, prisoner or prisoners in actual custody in the said gaol or prison of or the liberties thereof; and that none of such prisoners, to my knowledge, or with my privity, have voluntarily, or with design, or in expectation to take any benefit from or under any act of parliament to be made for relief of insolvent debtors, surrendered themselves, or been committed to the said prison, or got their names entered as prisoners in the books of the said prison; or since the same twenty ninth day of September, one thousand seven hundred and sixty eight, to my knowledge, or with my privity, have resided out of the said prison of or the rule thereof [but if any have so done, add, except naming such by name]

Other gaolers to take the following oath on delivering in their lists,

And that every other gaoler and keeper of any other prison or prisons in any county, city, town, riding, division, place, or liberty, shall severally, on the delivering in of any such list respectively, take an oath in the open court of the general or general quarter sessions of the county, city, town, division, liberty, or place, for which he or she shall deliver in any such list, and swear to the effect following; (that is to say)

I A. B. upon my corporal oath, in the presence of Almighty God, do solemnly swear, profess, and declare, That all and every person and persons, whose name or names are inserted and contained in the first part of the list by me now delivered in and subscribed, was and were, to the best of my knowledge and belief, upon the twenty ninth day of September, one thousand seven hundred and sixty eight, really and truly prisoners in actual custody, in the prison or gaol of at the suit or suits of the several persons therein respectively mentioned; and also that all and every person and persons, whose name or names is or are inserted or contained in the second part of the said list now by me delivered in and subscribed as aforesaid, have, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, been committed or surrendered to the said gaol or prison of (if any such prisoner or prisoners hath or have, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, been committed or surrendered to such gaol or prison) at the suit or suits of the several person or persons therein respectively mentioned; except [if any exception is necessary] such persons as are therein particularly mentioned and described to have died, been discharged, or removed to some other prison by process of law, or to have escaped out of such prison, without my privity, knowledge, or consent, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, and that all and every of them, whose name and names is and are contained in the first part of the said list (except as before excepted) to the best of my knowledge and belief, have really and truly continued in actual custody, in the said gaol or prison of ever since the said twenty ninth day of September, one thousand seven hundred

hundred and sixty eight; and that the said list is a true, exact, perfect, and just list, of all such persons as were really and truly prisoners in actual custody, in the said gaol or prison of
 on the said twenty ninth day of September, one thousand seven hundred and sixty eight, and who, since the said twenty ninth day of September, one thousand seven hundred and sixty eight, have been really and truly committed, or surrendered to the said gaol or prison of
 (except as before excepted) to the best of my knowledge and belief; and that none of such prisoners, to my knowledge, or with my privity, have voluntarily, or with design, or in expectation to take any benefit from or under any act of parliament to be made for relief of insolvent debtors, surrendered or been committed to the said prison of
 or got his, her, or their name or names entered as prisoner or prisoners in the books of the said prison, or, since their commitment, have, to my knowledge, or with my privity, resided out of the said prison of
 [if any have so done, then add except inserting their names]

Which said respective oaths the said justices, at the first or second general or quarter session aforesaid, or at some adjournment thereof, within their respective jurisdictions, are hereby empowered and required to administer in open court; and the words of the said oath herein before directed to be taken by the said warden and marshal respectively, shall be entered or written at the end or bottom of the list which shall be delivered in by them respectively, and shall be subscribed and sworn to by them respectively in open court; and the words of the oath to be taken by every other gaoler or keeper respectively, shall be entered or written at the end or bottom of the list which shall be delivered by them respectively, and shall be subscribed, and sworn to by them respectively in open court: and every such list which shall be so delivered in, subscribed, and sworn to, in pursuance of this act, shall be kept by the clerk of the peace, town clerk, or other officer, acting as clerk of the peace of every such county, riding, division, city, town, place, or liberty respectively, in which any such list as aforesaid shall be sworn to, for the better satisfaction of the said justices, and information of all or any prisoner or prisoners therein named; and so as the same may, from time to time, be seen and examined by any creditor or creditors of such prisoner or prisoners, without fee or reward.

The oath to be administered by the justices in court, and entered and subscribed at the bottom of each list.

List to be kept by the clerk of the peace.

III. And be it further enacted by the authority aforesaid, That all and every gaoler and gaolers, and keeper of any gaol or prison, is and are hereby required, ten days at least before the first or second general or quarter session of the peace shall be held after the said first day of June, one thousand seven hundred and sixty nine, for the county, riding, division, city, town, place, or liberty, in which any such gaol or prison shall be, or to which the same belong, to fix up, in some conspicuous place or places in every such prison, and at the most frequented and usual gate, door, or entrance, into every such prison, three or

Copies of the lists to be delivered in to be fixed up in the prisons, and on the gates thereof.

more

more true copies of the list or lists proposed or intended to be delivered in by any such gaoler or keeper, at the said general or quarter-session, or at some adjournment thereof.

Persons inserted in the lists being prisoners, without a fraudulent intention, on 29 Sept. 1768,

conforming to the regulations of this act, shall be discharged.

Prisoners in custody at the time of passing this act, who were arrested for debt on or before 29 Sept. 1768, and held to bail, and rendered themselves on or before 28 Nov. 1768, on conforming to the regulations of this act, shall be discharged.

Justices, upon the petition of the prisoner, and his delivering a schedule of his estate,

IV. And be it further enacted, That all and every person and persons whose name or names shall be inserted in any such list to be delivered in as aforesaid, who, upon the twenty ninth day of *September*, one thousand seven hundred and sixty eight, were really and truly prisoners in the actual custody of any gaoler or gaolers, or keeper of any prison respectively of this kingdom, and did not come into or get his, her, or their names entered in the book of any gaol or prison as a prisoner or prisoners there, with a view or design to take the benefit of some act for relief of insolvent debtors, and who shall take the oath herein after mentioned and shall perform on his or her part what is required to be done by him or her by this act, shall be for ever released and discharged from his or her imprisonment, in such manner as hereafter is provided.

V. Provided always, and be it enacted by the authority aforesaid, That any prisoner or prisoners who shall be in actual custody at the time of passing this act, and was or were, on or before the twenty ninth day of *September*, one thousand seven hundred and sixty eight, arrested for any sum or sums of money by virtue of any writ or process issuing out of any court of record, and held to the bail thereon, and did, on or before the twenty eighth day of *November*, one thousand seven hundred and sixty eight, render him, her, or themselves, or was or were surrendered in discharge of his, her, or their bail, and thereupon committed to prison, and has or have continued therein until the passing of this act, by virtue of such commitment; every such prisoner or prisoners shall, upon due proof of the premises upon oath, be discharged from such debt or demand, in like manner as if such prisoner or prisoners had been actually in prison upon the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, and continued therein as aforesaid; subject nevertheless to the same restrictions and provisions, and a compliance with the like terms, conditions, and qualifications, herein before imposed upon prisoners actually in custody upon the said twenty ninth day of *September*, one thousand seven hundred and sixty eight; and also subject to the same terms and provisions relating to the estate and effects of every such prisoner as aforesaid.

VI. And be it further enacted, That it shall be lawful for any justice or justices of any county, riding, division, city, town, place, or liberty, within this kingdom, upon the petition of any such prisoner or prisoners to any justice or justices of the peace within his or their respective jurisdictions, upon every such prisoner or prisoners so petitioning, and, at the time of his or her so petitioning, leaving with the justice or justices of the peace, who shall be so petitioned, a true copy of the schedule, containing his or her intended discovery of his or her real and personal estate, to be sworn to at the first or second general or quarter

ter session next ensuing after every such petition, or some adjournment thereof, by warrant under his hand and seal, or their hands and seals, to require the sheriff or sheriffs, gaoler or gaolers, or keeper of any such prison within the jurisdiction of any such justice or justices, to bring before the justices at the first or second next general or general quarter session of the peace, or any adjournment thereof, to be held, as the case shall happen to be, next after the expiration of ten days from the date of such warrant, for such respective county, riding, division, city, town, place, or liberty, the body of any person being in the said prison as aforesaid, with the warrant or warrants of his or her detainer, together with a copy or copies of the cause or causes which he, she, or they, is or are charged with in any such gaol or prison as aforesaid, at the time aforesaid; which warrant of every such justice or justices, every such sheriff and sheriffs, gaoler, or keeper, is and are hereby commanded to obey.

are to issue their warrant for bringing the prisoner to the quarter sessions, &c.

with the warrant of detainer and copy of the writ, &c. Gaoler, &c. to obey such warrant.

VII. And be it also enacted, That the copy of every schedule which shall be left with any such justice or justices, shall, within ten days after the same shall be so left, be transmitted by the justice or justices, with whom the same shall be so left, to the clerk of the peace, town clerk, or other officer, acting as clerk of the peace for the county, riding, division, city, town, place, or liberty, in which the same shall have been so left, there to remain and be inspected, from time to time, as occasion shall require, by any creditor of any such prisoner who shall desire to inspect the same.

Schedule of the prisoner's estate to be transmitted to the clerk of the peace,

for inspection of the creditors.

VIII. And be it further enacted, That all and every prisoner and prisoners, who shall intend to petition to be discharged under this act, as aforesaid, shall first cause publick notice to be inserted in three several *London Gazettes* previous to such general or quarter session, or the adjournment thereof, at which the said prisoner or prisoners shall apply to be discharged from any gaol in *London*, or within the weekly bills of mortality; and if such prisoner shall be in custody in any gaol out of *London*, or the weekly bills of mortality, then also in some news paper which shall be published in or near the county, riding, division, city, town, liberty, or place, in the gaol whereof he or she shall be so in custody; containing the name, trade, and occupation, and two last places of abode, if so many, of every such prisoner and prisoners, and the prison wherein he, she, or they, is or are confined, and of his, her, or their intention to take the benefit of this act, and mentioning such notice in each *Gazette* or news paper, to be first, second, or third notice, according to the time of publishing each of such notices; and for the inserting of each of which said several notices in the said *Gazette*, or in any other news paper, there shall be paid, each time, by every such prisoner, two pence, and no more: the first of which said notices shall be so inserted in the said *Gazette*, or in the said other news papers, as the case may require, thirty days at least, and the last of the said notices ten days at least, before any such first or second general or quarter session, or adjournment

Prisoners intending to petition for their discharge, are to give previous notice thereof thrice in the *Gazette*, and other news papers:

Contents of the notice.

and, each time, and no more, to be paid for inserting such notices.

First notice to be inserted 30 days, and the last 10 days, before the

adjournment

quarter sessions, &c.

jourment thereof, shall be held as aforesaid; so that as well all the creditors who have not charged the said prisoner or prisoners in custody, as those creditors who have charged such prisoner or prisoners in execution, or on mesne process, or otherwise, may have sufficient notice thereof.

Prisoner being brought into court, due publication of the notices required being proved, &c.

IX. And be it further enacted, That every such prisoner as aforesaid, who, in pursuance of any such warrant as aforesaid, shall be brought to any general or general quarter session, or any adjournment thereof, shall, in case it shall be proved upon oath, or by producing the said three *Gazettes* and news papers before mentioned to the said justices at any such session, or the adjournment thereof, that such notices were so inserted in the *London Gazette*, and other news papers, where required, in manner as herein before is directed; and that the person or persons so petitioning, was or were actually a prisoner or prisoners on the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, or since, in the gaol or prison in which his, her, or their name or names is or are specified in the list of prisoners there delivered in at any such first or second session, or any adjournment thereof as aforesaid, in pursuance of this act, shall, in open court at the said general or quarter session, or any adjournment thereof, subscribe and deliver in a true schedule or account of all his or her real estate, either in possession, reversion, remainder, or expectancy; and also of the whole of his or her personal estate which he or she, or any person or persons in trust for him or her, or for his or her use, benefit, or advantage, is or are seized of, interested in, or intitled to, with the names of his or her several debtors, and where they respectively live, or may be met with; and the several sums of money from them respectively owing, and how the same respectively became due, and are secured; and if by mortgage, specialty, contract, note, or other writing, then the name and names and places of abode of the several witnesses who can prove such debts or contracts (if there be any such) and shall also make oath and swear to the effect following; (that is to say)

is to deliver in a schedule of his estate, debts, and creditors.

Prisoner's oath on delivering in the said schedule.

I A. B. upon my corporal oath, in the presence of Almighty God, do solemnly swear, protest, and declare, That on the twenty ninth day of *September*, one thousand seven hundred and sixty eight, I was a prisoner, or else, as the case may be, that since the twenty ninth day of *September*, one thousand seven hundred and sixty eight, I have surrendered, or have been committed to the prison of _____ in discharge of my bail, or for want of bail, as the case shall be; and that I was actually arrested before the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, in the action or suit, actions or suits, in which I surrendered, or was committed, as aforesaid, to the said gaol or prison of _____ and that I have, ever since my said surrender or commitment, continued a prisoner within the prison of _____ in the actual custody of the gaoler or keeper of the said prison of _____ or within the liberties thereof, at the suit of _____ and without any fraud

or collusion whatsoever; and that the schedule now delivered by me and subscribed, doth contain, to the best of my knowledge, remembrance, and belief, a full, just, true, and perfect account and discovery of all the goods, effects, and estates, real and personal, either in possession, reversion, remainder or expectancy, which I, or any person in trust for me, or for my benefit or advantage, am seized or possessed of, interested in, or intitled to; and of all debts as are to me owing, or to any person or persons in trust for me; and of all the securities and contracts whereby any money now is, or will or may hereafter become payable, or any benefit or advantage may accrue to me, or to my use, or to any person or persons in trust for me; and the names and places of abode of the several persons from whom such debts are due and owing; and of the witnesses that can prove such debts or contracts, if any such there be; and that neither I, nor any other person or persons in trust for me, or for my use, have any lands, money, stock, or any estate real or personal, in possession, reversion, or remainder, or expectancy, other than what are in the said schedule contained; except wearing apparel, and bedding for myself and family, working tools, and necessary implements for my occupation and calling, and these in the whole not exceeding the value of ten pounds; and that I have not, nor any body for me hath, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in trust, or concealed, all or any part of my lands, money, goods, chattles, stocks, debts, securities, contracts, or estate real or personal, whereby to secure the same, or to receive or expect any profit or advantage thereof, or with intent to defraud or deceive any creditor or creditors, to whom I am or was indebted in any wise howsoever.

So help me GOD.

And the said schedule and oath shall be by every such prisoner subscribed in the presence of the justices in open session of the peace as hereby is directed, and shall be kept by, and remain with, the clerk of the peace, town clerk, or other officer acting as clerk of the peace, for the county, city, liberty, division, town, or place, where the same shall be subscribed and taken, for the better information of all the creditors of such prisoner who shall desire, or may have occasion, to resort thereto; and every such creditor shall be at liberty, at seasonable times in the day-time, to peruse and examine the same.

Schedule and oath to be subscribed in the court; and lodged with the clerk of the peace, for the examination of the creditors.

X. And be it further enacted, That the justices within their respective jurisdictions, at any such general or general quarter session, or adjournment thereof, at the request of any creditor or creditors of any such prisoner, are hereby authorized to cause the deputy warden and marshal of the *Fleet* and *King's Bench* prison, and any other under officer, tipstaff, and turnkey of any gaol or prison, and any other person, to come before them, and to examine them respectively on oath, touching any of the matters contained in any of the oaths prescribed by this act to be taken, and the truth thereof; and if the oath which shall have been taken in open court by any such prisoner or prisoners shall not be disproved by good testimony of any credible person

Court, if required by the creditor, may administer an oath to the gaoler, or any other person, touching any of the matters prescribed to be sworn to.

The prisoner's oath not being disproved, the court is to discharge him;

upon paying a fee of 1 s. to the gaoler.

Gaoler indemnified for the escape.

Estate and effects of the prisoner, upon his discharge, to vest in the clerk of the peace,

who is to make over the same to the assignees named by the court,

for which he is to be paid 2 s. and no more.

or persons on oath, and such justices, or the major part of them, present at any such general or quarter session, shall be satisfied with the truth of the oath taken by any such respective prisoner, then such justices shall, in such session, or some adjournment thereof, command the said sheriff or sheriffs, gaoler or gaolers, or keeper of such prison or prisons, forthwith to set at liberty such prisoner or prisoners, without having or taking any fee or reward, other than one shilling for his or their attendance with such prisoner or prisoners at such general or quarter session, or any adjournment thereof, in order for his, her, or their discharge, and which every such sheriff or sheriffs, gaoler or gaolers, keeper or keepers of such prison or prisons, is and are hereby authorized to receive and take for every such order: and every such order shall be a sufficient discharge to the sheriff or sheriffs, gaoler or gaolers, or keeper of such prison or prisons, and shall indemnify him or them against any escape or escapes, or action or actions whatsoever for escape, which shall or may be brought, commenced, or prosecuted against him or them.

XI. And be it further enacted by the authority aforesaid, That all the estate, right, title, interest, and trust, of such prisoner, of, in, and unto, all the real estate, as well freehold and copy as customaryhold, and to all the personal estate, debts, and effects of every such prisoner, shall, immediately after the discharge of any such prisoner, be, and the same is hereby, vested in the clerk of the peace, town clerk, or other officer acting as clerk of the peace, of and for the county, riding, city, town corporate, division, liberty, or place, where any such prisoner shall be respectively discharged; and every such clerk of the peace, town clerk, or other officer acting as clerk of the peace, is hereby directed and required to make an assignment and conveyance of every such prisoner's estate and effects, vested in such clerk of the peace, town clerk, or other officer acting as clerk of the peace, as aforesaid, to such creditor or creditors of the said prisoner, as the justices at any general or general quarter session of the peace, or at any adjournment thereof, which shall be held by them within their respective jurisdictions, shall order or direct (which assignment and conveyance shall be good and effectual in law to all intents and purposes whatsoever, without being wrote on parchment or paper stamp) and to vest the estates thereby assigned and conveyed, in the party or parties to whom the same shall be so assigned and conveyed, his, her, and their heirs, executors, administrators, and assigns, according to the estate and interest the prisoner had therein; and for the preparing, ingrossing, and executing, of which assignment and conveyance, no clerk of the peace, town clerk, or other officer acting as clerk of the peace, shall take any greater fee than two shillings; and every such assignment and conveyance shall be in trust for the benefit of the creditor or creditors of every such prisoner to whom the same shall be made, and the rest of the creditors of such prisoner, in respect or in proportion to their respective debts; and every person and persons to whom any such assign-

assign-

assignment and conveyance as aforesaid shall be made, is and are hereby fully impowered to sue, from time to time, as there may be occasion, in his, her, or their own name or names, for the recovery and attaining any estate or effects of any such prisoner, and also to execute any trust or power vested in, or created for, the use or benefit of any such prisoner; but in trust, for the benefit of him or themselves, and the rest of the creditors of every such prisoner; and to give discharge and discharges to any debtor or debtors of any such prisoner, as shall be requisite: and every such assignee and assignees shall, with all convenient speed after his or their accepting any such assignment or conveyance, use his and their best endeavours to receive and get in the estate and effects of every such prisoner; and shall, with all convenient speed, make sale of all the estates of such prisoner vested in such assignee or assignees; and if any such prisoner shall be interested in, or intitled to, any real estate, either in possession, reversion, or expectancy, the same, within the space of two months after every such assignment and conveyance, shall be sold by public auction in such manner, and at such place, as the major part of the creditors of any such prisoner who shall assemble together on any notice in writing published in the *London Gazette*, or in some daily paper, if the prisoner before his going to gaol resided in *London*, or in the weekly bills of mortality, and if elsewhere, then in some news paper which shall be published in or near the county, riding, division, city, town, liberty, or place, in which such prisoner dwelt before he or she was committed to gaol, thirty days before any such sale shall be made, shall, under his hand, or their hands, agree on: and every such assignee and assignees, at the end of three months at farthest from the time of his accepting any such assignment or conveyance as aforesaid, shall make a just and fair dividend of all such prisoner's estates and effects which shall have been then got in amongst his or her creditors, in proportion and in regard to each creditor's respective debts; but before any such dividend shall be made, such assignee or assignees shall make up an account of such prisoner's estate; and make oath in writing before one or more justice or justices of the peace of the county, riding, division, town, liberty, or place, in which any such prisoner shall have been discharged, that every such account contains a just and fair account of the estate and effects of every such prisoner got in by or for such assignee or assignees, and of all payments made in respect thereof, and that all payments in every such account charged, were truly and *bona fide* made and paid; and notice of the making of every such dividend shall be published in like manner as a meeting of creditors is herein before directed to be published, thirty days at least before the same shall be made: and no creditor shall be allowed to receive any share of such dividend, until he shall have made out the justness and identity of his respective debt by oath, or due proof in writing, before some such justice or justices; and if any creditor of such prisoner shall be dissatisfied

Assignees impowered to sue,

and execute any trust or power in the prisoner's behalf; and give discharges.

They are to get in, with all speed, the estate and effects of the prisoner, and make sale, within 2 months, of prisoner's real estate, in manner agreed upon at a meeting of the creditors summoned for that purpose;

and make a dividend within 3 months;

first making up their accounts, and verifying the same upon oath.

30 days notice to be given of making any dividends, and none to receive any share thereof, but such as shall prove their debts.

Debts entered, to be examined into and determined by the court.

Surplus of the prisoner's estate, after satisfying all claims thereon, to go to the prisoner.

No suit in equity to be commenced, but by consent of the majority in value of the creditors.

Clerk of the peace to exhibit to the creditor, or his attorney, upon payment of 1s. the schedule of the prisoner's estate and effects :

Attested copy thereof to be granted;

which shall be evidence in all courts.

Clerk of the peace refusing to produce such schedule,

with the reality or fairness of any debt claimed by any other creditor, then the same, at the request of any such creditor or creditors so dissatisfied, shall be examined into by the justices of the county, riding, division, city, liberty, or place, in which such prisoner shall have been discharged, at their next general or general quarter session, and what they shall there determine in the premisses, shall be conclusive to all parties : and if, after payment of all such prisoner's creditors, there shall any of his estate and effects remain after payment of all reasonable charges, the same shall be paid to such prisoner, his executors or administrators.

XII. Provided further, and be it also enacted, That no suit in equity shall be commenced by any assignee or assignees of any such prisoner's estate and effects, without the consent of the major part, in value, of the creditors of such prisoner, who shall meet together pursuant to a notice to be given in the *London Gazette* for that purpose.

XIII. And be it further enacted by the authority aforesaid, That the clerk of the peace, town clerk, or other officer, acting as clerk of the peace of every respective county, city, and county town, and county, riding, division, cinque port, liberty, and place, with whom any schedule of the estates of any insolvent debtor or debtors, fugitive or fugitives, shall be left, and his successors, clerk of the peace, town clerk, or other officer, acting as clerk of the peace as aforesaid, shall, on the reasonable request of any creditor or creditors of such insolvent debtor or debtors, fugitive or fugitives, or his or their attorney, produce and shew to such creditor or creditors, or his or their attorney, in the day-time, the schedule of the estates of any such insolvent debtor or debtors, fugitive or fugitives, which shall be left with any such clerk of the peace, town clerk, or other officer acting as clerk of the peace, or his predecessor in that office ; the person so requiring to see and peruse any such schedule, paying or tendering to the clerk of the peace, town clerk, or other officer acting as clerk of the peace, in whose custody any such schedule shall be, or his deputy, the sum of one shilling for his trouble in searching for, and looking out, such schedule, and attending whilst the same shall be perused by the party or parties requiring to have the same looked out, and to peruse the same ; and that a true copy of every such schedule, signed by the clerk of the peace, town clerk, or other officer acting as clerk of the peace, in whose custody the same shall be, or his deputy, purporting the same to be a true copy of such schedule, without being wrote on stamp paper, and for which copy no more shall be paid than three pence by the sheet; each sheet to contain ninety words, and so in proportion for a less number of words in any sheet, shall, at all times, be admitted in all courts whatsoever as legal evidence of the same : and if any clerk of the peace, or his deputy, town clerk, or other officer acting as clerk of the peace, shall, on reasonable request as aforesaid, neglect or refuse to produce to any such creditor or creditors as aforesaid, or his or their

their attorney, any such schedule as aforesaid, and to permit the same to be inspected as aforesaid, in the day-time, on such payment or tender as aforesaid, being made to him; or shall ask or take more than after the rate of three pence by the sheet, each sheet to contain ninety words, and so in proportion for less than ninety words in a sheet; or shall refuse to make and deliver a copy of any such schedule, on being requested as aforesaid so to make the same, and having the money tendered to him for payment of such copy, after the rate aforesaid; shall, for every such offence, forfeit and pay the sum of ten pounds, which shall and may be sued for and recovered in any of his Majesty's courts of record at *Westminster*, by action of debt, together with treble costs of suit, in the name of any person who shall prosecute for the same: and one moiety of which money forfeited shall, when recovered, go to the party who prosecutes for the same, and the other moiety thereof to the poor of the parish in which the offence shall be committed.

or to deliver a copy thereof, or taking exorbitant fees for the same,

forfeits 10*l.* and treble costs;

One moiety to the prosecutor, and the other to the poor of the parish.

XIV. Provided always, and be it enacted, That before such time as any assignee or assignees, as aforesaid, shall enter on, or take any profit from, any copyhold or customary estate as aforesaid, he or they shall agree and compound with the lord or lords of the manor or manors of whom the same shall be holden, for the payment of such fine or income as, upon any surrender and admission thereto, hath heretofore been most usually accustomed to be paid; and that upon every such agreement or composition, the said lord or lords for the time being, at the next court, or some subsequent court, which shall be holden for the said manor or manors, after such agreement made, shall admit such assignee or assignees tenant to such copyhold or customary premises, according to the custom of the said manor or manors of which the same shall be holden, for and during such estate and interest as the prisoner had therein at the time of his or her being discharged as aforesaid, reserving the rents, duties, heriots, customs, and services, payable and to be rendered in respect of the said copyhold or customary premises.

Assignees of copyhold and customary estates to compound with the lord of the manor,

and to be admitted tenants thereupon.

XV. Provided also, That nothing herein contained shall extend to prejudice or affect any estate, or interest or right whatsoever, of any other person or persons, other than the said prisoner or fugitive, which may be expectant upon, or subject unto, the estate or interest of the said prisoner or fugitive hereby vested in the said clerk of the peace, town clerk, or other officer acting as clerk of the peace; but that the estate, interest, and right whatsoever, of every other person and persons, shall remain, continue, and be saved to them, in the same manner as if this act had not been made.

The prisoner's, &c. right and interest only to be affected by this act.

XVI. Provided further, and be it enacted by the authority aforesaid, That where any rent, not exceeding two years rent, shall be due to any person or persons from such prisoner or prisoners, at the time of his or their respective discharges, in respect to any messuages, lands, or tenements, then in lease to such prisoner or prisoners respectively, for life or lives, for years, at will, or assignees;

Effects on the premises, where rent is due, are to be transferred to the landlord, and not made over to the

unless they shall agree to satisfy the landlord.

Act 8 Annæ.

All mortgages, statutes, recognizances, and judgements, are to take place, preferable to claims of an inferior nature.

or otherwise, no goods or chattles then lying or being in or upon the respective tenements, liable to be distrained, shall be assigned by the clerk of the peace, town clerk, or other officer acting as clerk of the peace, in manner aforesaid, but shall, by such clerk of the peace, town clerk, or other officer acting as clerk of the peace, be transmitted to such landlord or landlords, or some person or persons intrusted for him or them respectively, towards satisfaction of the rent then due, not exceeding two years rent, as aforesaid, unless the person or persons to whom such assignment and conveyance shall be made by such clerk of the peace, town clerk, or other officer acting as clerk of the peace, shall, by writing under his hand, or their respective hands, before such assignment shall be made, agree to pay or satisfy to such landlord or landlords the rent to him or them respectively due, not exceeding two years rent as aforesaid; to the intent that such landlord or landlords may be satisfied the rent or rents to him or them respectively due, before any division of the estate or effects of such prisoner or prisoners shall be made among his other creditors, in like manner as he or they might be satisfied the rent to him or them respectively due, before the removal of such goods and chattles, by virtue of an execution, by force of the statute made in the eighth year of her late Majesty's reign, intituled, *An act for the better security of rents, and to prevent frauds committed by tenants*; any thing herein before contained to the contrary thereof notwithstanding.

XVII. Provided also, and be it enacted by the authority aforesaid, That nothing in this act shall extend, or be construed to hinder or prevent, any mortgage or mortgages upon the estate of such prisoner or prisoners, or any part thereof, to take place upon the lands, tenements, or hereditaments comprised in such mortgage or mortgages respectively; nor to prevent any statute staple, statute merchant, recognizance, or judgement, acknowledged by, or obtained against, any such prisoner or prisoners, to take place upon the lands, tenements, or real estate of such prisoner or prisoners; and also where any inquisition shall have been taken upon any such statute or recognizance, or any writ of execution shall have been taken out and delivered to the sheriff or proper officer, upon any such judgement, before such discharge shall be given in open session to any such person as aforesaid, the personal estate of every such prisoner respectively shall be subject thereto, in the first place, for so much as shall remain due upon such mortgage, statute, recognizance, or judgement respectively, in like manner as such mortgages and creditors, by statute, recognizance, or judgement, would have been preferred to other creditors of an inferior nature, against the real or personal estate of such prisoner and prisoners respectively, if this act had not been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

XVIII. And whereas many persons who may be intitled to, and claim the benefit of, this act, are seised and possessed of lands, tenements, and hereditaments, to hold to such prisoners for

for the term of their natural lives, with power of granting leases, and taking fines, reserving small rents on such estates, for one, two, or three lives, in possession or reversion, or for some number of years determinable upon lives; which said powers ought to be executed for the benefit of the creditors of such prisoners; be it therefore enacted by the authority aforesaid, That in every such case, all and every the powers of leasing such lands, tenements, and hereditaments, which are or shall be vested in any such prisoner or prisoners as aforesaid, shall be, and are hereby vested in the assignee or assignees of the real and personal estate of such prisoner, by virtue of this act, to be by such assignee or assignees executed for the benefit of all and every the creditors of such prisoners as aforesaid.

Power in the prisoner of leasing lands, &c. to vest in the assignees.

XIX. And whereas in some gaols or prisons in this kingdom, the office of gaoler or keeper is held in fee for life, or otherwise, by persons who never act as gaolers or keepers themselves, or know any thing of the prisoners therein, but depute or employ some person or persons under them as gaolers or keepers of such gaols or prisons; be it therefore enacted, That in every such case, the person who shall have been actually employed and acted as deputed gaoler or keeper of any such gaol or prison, at the time of the delivering in the lists, hereby directed to be delivered in, of prisoners in any such gaol or prison, at any general or quarter session of the peace, or some adjournment thereof, and not the principal gaoler or keeper (unless where such principal gaoler or keeper shall act as a gaoler or keeper himself) shall take the oath herein before appointed to be taken by the gaoler or keeper of every such gaol or prison.

The acting gaoler at the time of delivering the lists, only liable to be sworn.

XX. And be it further enacted by the authority aforesaid, That the justices at any general or quarter session of the peace, or adjournment thereof, to which any prisoner shall be brought in pursuance of this act, shall, if required by any creditor or creditors of any such prisoner or prisoners, who shall oppose his or her discharge, administer and give to the gaoler, or the person who acts as gaoler or keeper of any such prison, at the time of bringing up any such prisoner in order to be discharged under this act, an oath to the following effect (that is to say)

Court, if required by a creditor, opposing the prisoner's discharge is to administer the following oath to the gaoler.

I A. B. do swear, That *was really and truly a* The oath.
 prisoner in my custody, in the prison of *to the best*
 of my knowledge and belief, at or upon the twenty ninth day of Sep-
 tember, one thousand seven hundred and sixty eight; and that the
 copy or copies of the cause or causes of his or her commitment or
 detainer, now by me brought with the body of the said
 and produced to this court, is or are a true copy or copies of the cause
 or causes of such detainer or commitment, without any fraud or de-
 ceit by me, or any other person whatsoever, to the best of my know-
 ledge and belief.

So help me GOD.

And if any person who was gaoler or keeper, or deputed If such person
 gaoler or keeper, of any such gaol or prison on the said twen- shall not have

been the gaoler on 29 Sept. 1768, &c then the following oath is to be administered to him.

ty ninth day of *September*, one thousand seven hundred and sixty eight, or since, shall not happen to be the gaoler or keeper, or deputed gaoler or keeper, of any such gaol or prison, at the time any such list as aforesaid is herein required to be delivered in, then the justices at any such session, or at any adjournment thereof, may, and are hereby required to administer and give the respective person or persons who shall be gaoler or keeper, or deputed gaoler or keeper, of any such gaol or prison, and deliver in any such list as aforesaid at any such general or quarter session, or any adjournment thereof, an oath, touching the commitments or books of commitment of any such prison, to the effect following (that is to say).

The oath.

I A. B. *do swear, That I have examined the commitments, or books kept of or concerning the commitment, of prisoners to the prison of* _____ *in the county, riding, division, city, town, place, or liberty of* _____ *as the case shall be; and that I do verily believe that the said commitments, or books of commitment, are really true, and not fictitious, nor calculated for this purpose; and by them it doth appear, that* _____ *was on the twenty ninth day of September, one thousand seven hundred and sixty eight, really and truly a prisoner in the actual custody of* _____ *the then gaoler or keeper, or deputed gaoler or keeper, of the said prison, without fraud or deceit by me, or any other person or persons to my knowledge and belief.*

So help me G O D.

Court, if required by a creditor, may summon the person who acted as gaoler on 29 Sept. 1768, or since,

and examine him touching the commitment and continuance in custody of the prisoner.

Gaoler disobeying the warrant, or order of the court, &c. forfeits 100 l. with treble costs.

XXI. And in order to discover any fraudulent entries or commitments of prisoners in any gaol books, be it further enacted by the authority aforesaid, That the justices at any general or quarter session of the peace, or any adjournment thereof, are hereby authorized, at the request of any creditor or creditors of any prisoner, to convene before them, at some certain time to be appointed by them, any person or persons who was or were gaoler or keeper, or reputed gaoler or keeper, of any gaol or prison within their respective jurisdictions, on the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, or at any time since; and to examine every such gaoler or keeper, or deputed gaoler or keeper, on oath, touching the commitment and continuance in custody of any such prisoner, as the justices, at any such general or quarter session, or adjournment thereof, shall think fit: and if any sheriff, gaoler, or keeper, or reputed gaoler or keeper, shall neglect or refuse to bring before such justices at any session of the peace, or adjournment thereof, any prisoner as shall be directed and required by warrant of any justice or justices as aforesaid, or to attend or being summoned for that purpose; or if any gaoler or keeper attending, shall refuse to make answer and discovery in the premises, as shall be reasonably required at such general or quarter session, or any adjournment thereof; he, she, or they, so offending in the premises, shall, for every such offence, forfeit and pay the

sum

sum of one hundred pounds, to be recovered by and in the name, and for the use, of the party injured, by action of debt to be brought in his or her name, in any of his Majesty's courts of record at *Westminster*, together with treble costs of suit

XXII. And whereas great number of workmen, skilful in the several trades and manufactures of this kingdom, and also many able seamen and mariners, finding themselves unable to satisfy the whole of their respective debts, and dreading the miseries of a gaol, have chose to leave their employments and native country, and have entered themselves in foreign service: and whereas their continuance abroad must be of great prejudice to the trade of this kingdom; in order therefore to induce and enable such persons to return, be it enacted by the authority aforesaid,

That all and every debtor and debtors, who was or were actually beyond the seas in foreign parts on the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, and did not go into such foreign parts with the view or intent to gain or have the benefit of an insolvent debtors act, who shall return and surrender himself or themselves unto the gaoler or gaolers, keeper or keepers of the prisons of the *King's Bench*, *Marshalsea*, or *Fleet*, or to the gaoler or keeper, or deputed gaoler or keeper, of the prison or prisons of such county, city, town, riding, division, liberty, or place, where such debtor or debtors last dwelt for the space of six months (which said gaoler or gaolers, keeper or keepers, is and are hereby required and empowered to receive and detain such debtor or debtors surrendering as aforesaid, in order to their discharge as herein after-mentioned) shall, from and immediately after such surrender as aforesaid, be deemed a prisoner or prisoners within, and be to all intents and purposes intituled to, the benefit of this act; and shall, upon due proof of the said premisses, by the oath of such debtor or debtors (not disproved by any credible witness) be discharged in the same manner as if he, she, or they, had been actually in prison on the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, and continued therein as aforesaid; subject nevertheless to the same restrictions and provisions, and a compliance with the like terms, conditions, and qualifications, herein before imposed upon the said prisoners actually in custody upon the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, and also subject to the terms and provisions relating to the estate and effects of such prisoner aforesaid; excepting only such particulars thereof, as require the name of a prisoner to be inserted in the gaoler's or keeper's list as aforesaid, or relate to the oaths of such gaoler or keeper herein before appointed to be taken, which particulars cannot possibly be applied to the case of persons surrendering themselves as aforesaid; and also except the said oath herein before appointed to be taken by prisoners in custody upon the said twenty ninth day of *September*, one thousand seven hundred and sixty eight; instead whereof, the said person or persons so surrendering, shall take an oath in open court at some general or quarter

Debtors who were beyond the seas on 29 Sept. 1768, surrendering themselves, may take the benefit of this act,

upon the same terms as other prisoners;

excepting such particulars wherein the cases of both differ.

ter

ter session of the peace, or some adjournment thereof, of the county, city, town, riding, division, place, or liberty, in the prison of which any such fugitive or debtor shall be held, after the surrender of any such fugitive or debtor, to the effect following; which the said justices authorized to put this act in execution, are hereby required and impowered to administer, in such manner as the oaths herein before mentioned are to be administered.

Fugitive's
oath.

I A. B. upon my corporal oath, in the presence of Almighty God, solemnly swear, protest, and declare, That I was actually on the twenty ninth day of September, one thousand seven hundred and sixty eight, beyond the seas in foreign parts, videlicet, at and that the schedule now delivered and by me subscribed, doth contain, to the best of my knowledge, remembrance, and belief, a full, just, true, and perfect account and discovery of all the real estate, goods, effects, and other personal estate, in any wise belonging to me; and also of all such debts as are to me owing, or to any person or persons in trust for me; and of all the securities and contracts whereby any money now is, or will or may hereafter become payable, or whereby or wherefrom any benefit or advantage may accrue to me, or to my use, or to any other person or persons in trust for me; and the names and places of abode of the several persons from whom such debts are due and owing; and of the witnesses that can prove such debts or contracts, if any such there be; and that neither I, nor any person or persons in trust for me, is or are seized of any real estate in possession, reversion, or remainder, or expectancy, or of any personal estate of any kind whatsoever, other than what are in the said schedule contained; except my wearing apparel, and bedding for myself and family, my working tools, and necessary implements for my occupation and calling, not exceeding, in the whole, the value of ten pounds; and that I have not, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in trust, or concealed, all or any part of my real estate, money, goods, chattles, stocks, debts, securities, contracts, or other personal estate whatsoever, whereby to secure the same, so as to receive or expect any profit or advantage therefrom to myself or family, or with any view, intent, or design, to defraud or deceive any creditor or creditors, to whom I am indebted in any wise howsoever, or prevent their recovering or attaining their respective debts.

So help me GOD.

Gaoler and printer of the Gazette, or other news paper, not complying with the regulations in this act, forfeit 100l. to the prisoners, with treble costs of suit.

XXIII. And be it further enacted by the authority aforesaid, That if any gaoler or keeper of any prison, or his deputy or deputies, shall, without just cause, to be approved of by the justices at some general or quarter session of the peace, or adjournment thereof, within their respective jurisdictions, refuse or delay to bring any such prisoner or prisoners as aforesaid to any such general or quarter session, or some adjournment thereof, in order to his or her discharge, or shall neglect, refuse, or designedly omit to insert, in any such list, the name or names of any such prisoner or prisoners who was or were actually in custody

dy in his or their respective gaol or prison on the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, or since; or shall neglect or refuse to make out, fix up, or deliver such lists as aforesaid; or if any such gaoler or keeper, or deputed gaoler or keeper, shall neglect or refuse to take any of the said oaths before mentioned, and hereby required to be taken by him; or shall, upon any account or pretence whatsoever, take or receive more than the said sum of one shilling herein before allowed for his or her attendance in order to be discharged of such prisoner or prisoners as aforesaid; or shall detain any such prisoner after he or she shall be discharged as aforesaid; or if the printer of the *London Gazette*, or other news paper as aforesaid, shall wilfully refuse or neglect to insert therein the name, trade, occupation, and last place of abode, of such prisoner, on reasonable request to him made for that purpose, and tender of the money hereby directed to be paid; or shall take or receive any fee or gratuity more than two pence as aforesaid for doing thereof; every such gaoler and keeper of such prison or prisons, his deputy or deputies, and every such printer as aforesaid, shall respectively forfeit and pay to each prisoner, in any such case injured, the sum of one hundred pounds; which shall and may be recovered, with treble costs of suit, by action of debt, bill, plaint, or information, in any of the courts of record at *Westminster*, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

XXIV. And be it further enacted by the authority aforesaid, That if any such gaoler or gaolers, or keeper or keepers, or any deputed gaoler or keeper, of any prison, shall, in taking of the afore-mentioned oaths, forswear or perjure himself, and shall thereof be lawfully convicted, such gaoler or keeper, or deputed gaoler or keeper, of such prison or prisons (over and above such penalties as may be inflicted on persons convicted of perjury) shall, upon every such conviction, forfeit and pay the sum of five hundred pounds; to be recovered, with full costs, by bill, plaint, or information, or action of debt, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, or wager of law, shall be allowed, by and in the name of such person or persons, his or their executors and administrators, to whom any assignment or conveyance, in pursuance of this act, shall be made, of the estate and effects of such prisoner or prisoners; and if no such assignee or assignees shall be living, then in the name or names of any other creditor or creditors who shall sue for the said penalties; to be applied, one moiety to the informer or informers, and the other moiety towards satisfaction of the debts of such his creditor or creditors.

Gaoler, convicted of perjury, forfeits 500l. with full costs of suit, &c.

One moiety to go to the informer, and the other towards satisfying the debts of the creditors.

XXV. And be it further enacted, That if any clerk of the peace, or his deputy, or town clerk, or other officer acting as clerk of the peace, shall delay or refuse to give every or any such prisoner so discharged as aforesaid, within ten days after his or her discharge, a copy of the order of his or her discharge, on the payment of two shillings and six pence, or shall take more than

Clerk of the peace refusing the prisoner a copy of his discharge,

or taking exorbitant fees

for the same,
or for assign-
ing over the
prisoner's es-
tate and ef-
fects;
forfeits 20 l. to
the prisoner.

than the said sum of two shillings and six pence for such copy, or shall take more than two shillings for an assignment or conveyance of such prisoner's estate or effects; every such clerk of the peace, or his deputy, or town clerk, or other officer acting as clerk of the peace, who shall so offend, and who shall be convicted at any such general or quarter session of the peace, or any adjournment thereof, of any such offence, shall, for every such offence, forfeit and pay to every such prisoner the sum of twenty pounds, as the justices of the peace, at any such general or quarter session of the peace, or adjournment thereof, shall order; and who are hereby impowered to cause the same to be levied by distress and sale of the goods of any such clerk of the peace, or his deputy, or town clerk, or other officer acting as clerk of the peace, so offending.

Prisoner con-
victed of per-
jury to suffer
as a felon.

XXVI. And be it further enacted by the authority aforesaid, That if any prisoner as aforesaid, or any other person or persons, who shall take the benefit of this act, shall swear or perjure himself, herself, or themselves, in any oath to be taken under this act, and shall be lawfully convicted thereof, he, she, or they so offending, shall be adjudged a felon, and suffer as such, without benefit of clergy.

Persons dis-
charged by
this act, not
liable to arrest
for debts, &c.
contracted be-
fore 29 Sept.
1768.

XXVII. And be it further enacted by the authority aforesaid, That no person to be discharged by this act shall at any time hereafter, be imprisoned by reason of any judgement or decree obtained for payment of money only, or for any debt, damages, contempts, costs, sum or sums of money, contracted, incurred, occasioned, owing, or growing due, before the said twenty ninth day of September, one thousand seven hundred and sixty eight; but that upon every arrest upon every judgement or such decree, or for such debts, damages, contempts, costs, sum and sums of money, it shall and may be lawful for any judge of the court where the process issued, upon shewing the copy of the order of such prisoner's discharge or discharges, to release and discharge out of custody such prisoner or prisoners as aforesaid; and every such judge is hereby impowered so to do on such prisoner's causing a common appearance to be entered for him in every such action and suit.

Justices, she-
riffs, and
gaolers, may
plead this act
to any action
of escape, or
suit brought
against them,
and recover
treble costs.

XXVIII. And be it further enacted by the authority aforesaid, That if any action of escape, or any suit or action, be brought against any justice or justices of the peace, sheriff, gaoler, or keeper of any prison, for performing their office, in pursuance of this act, they may plead the general issue, and give this act in evidence; and if the plaintiff be nonsuited or discontinue his action, or verdict pass against him, or judgement upon demurrer, the defendant shall have treble costs.

Persons dis-
charged may
plead general-
ly, &c. to all
actions or
judgements

XXIX. And be it further enacted by the authority aforesaid, That if any *Scire facias*, or action of debt, or upon judgement, shall be brought against any prisoner, his or her heirs, executors, or administrators, upon any judgement obtained against any such prisoner, or in any statute or recognizance acknowledged by him or her, before the said twenty ninth day of Sep-
tember,

tember, one thousand seven hundred and sixty eight, with respect brought a-
to prisoners in actual custody, or with respect to debtors beyond gainst them
the seas, as aforesaid, upon the said twenty ninth day of *Sept.* before 29 Sept.
tember, one thousand seven hundred and sixty eight, it shall be 1768, &c.

lawful for any such prisoner, his or her heirs, executors, or ad-
ministrators, to plead generally that such prisoner was actually a
prisoner in such prison at such a person's suit, or was or were
beyond the seas in foreign parts on the said twenty ninth day of
September, one thousand seven hundred and sixty eight, and was
or were duly discharged according to this act, at the general or
quarter session, or adjournment thereof, held at such time and
place for such county, riding, division, liberty, city, town, or
place (as his, her, or their case is) without pleading any mat-
ter specially; and in case any other suit or action shall be com- and in other
menced against him, her, or them, for any other debt, sum or suits, may
sums of money, due before the said twenty ninth of *September*, plead in dis-
one thousand seven hundred and sixty eight, to plead in, discharge of their
charge of his or her person from execution (over and above such persons from
matters as aforesaid) that such debt or sum of money (as the execution.
case shall happen) was contracted or due before the said twenty
ninth day of *September*, one thousand seven hundred and sixty
eight, without pleading any other matter specially; whereto
the plaintiffs shall or may reply generally, and deny the matters Plaintiff may
pleaded as aforesaid, or reply any other matter or thing which reply general-
may shew the said defendant not to be entitled to the benefit of ly, &c.

this act, or not duly discharged according to it, in the same man-
ner as the plaintiff might have replied, in case the defendant
had pleaded this act, and his discharge by virtue of this act spe-
cially; and if the plaintiff be nonsuited, discontinue his action, but if non-
or verdict pass against him, or judgement on demurrer, the de- suited, is to
fendant to have treble costs. pay treble
costs.

XXX. Provided always, and be it enacted by the authority Bankrupts not
aforesaid, That no person against whom a commission of bank- obtaining
rupt hath been awarded and issued out, and who hath not al- their certi-
ready obtained his certificate and discharge of his debts, in pur- ficates in due
suance of and in such manner as is directed by some or one of time, exclud-
the acts of parliament now in force relating to or concerning ed from the
bankrupts, or shall not obtain such certificate and discharge be- benefit of this
fore such time as he shall be brought before the justices of the act.

peace at their general or quarter session, or some adjournment
thereof, held as aforesaid, in order to be discharged in pursu-
ance of this act, shall have or receive any benefit or advantage
of or under this act, nor be deemed to be within the meaning
thereof.

XXXI. Provided also, That nothing in this act contained Attornies em-
shall extend, or be construed to extend, to release or discharge bezzling, &c.
any attorney at law, or solicitor, or any other person or persons clients money
acting, or pretending to act, as such, with regard to any debt or effects, ex-
with which he or they shall stand charged, for any money, or cluded the b-
other effects, recovered and received by him or them, for the nefit of this
use of any person or persons, bodies corporate or politick, and act.
by

by any attorney, solicitor, or other person or persons acting as such, embezzled, concealed, or converted, to his or their own use; or to release or discharge any servant or agent, or any person or persons employed or intrusted as such, with regard to any debt or demand with which he, she, or they, shall stand charged, for and on account of any money, goods, or other effects, received or possessed by him, her, or them, for the use, and on account of his, her, or their master or masters, or employers, and by such servant or agent, embezzled, concealed, or converted to his, her, or their own use; any thing herein contained to the contrary thereof in any wise notwithstanding.

Gaoler to permit the speaking in private to prisoners, whose names are inserted in the list, or Gazette, &c.

and the examining the original books of entries, &c.

on penalty of 40l. with costs of suit.

Prisoner's future estate and effects, notwithstanding his personal discharge, liable to creditors; Wearing apparel, bedding, and working tools, &c. not exceeding 10l. value, excepted.

Creditor may sue for the

XXXII. And be it further enacted by the authority aforesaid, That every gaoler or keeper of any prison shall and is hereby required to suffer, in the day-time, any person or persons desiring the same, to see and speak, in the lodge, or some convenient room of the said prison, with any prisoner or prisoners, whose names are inserted in the afore-mentioned list or lists, or *London Gazette*, or other news paper, or any of them, or any persons surrendering themselves pursuant to this act; and also see, in the true and genuine books of the said prison, the entries made of the name or names of such prisoner or prisoners, together with the name or names of the person or persons at whose suit or suits he, she, or they are detained: and if any such gaoler or keeper shall neglect or refuse to comply with what is here above required, every such gaoler or keeper, who shall so offend in the premises, shall forfeit and pay to the person so refused and aggrieved, the sum of forty pounds; to be recovered, with costs of suit, by action of debt, bill, plaint, or information, in any of the courts at *Westminster*, wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed, by and in the name or names of the person or persons so refused or aggrieved.

XXXIII. Provided always, and be it enacted, That notwithstanding the person of any prisoner or prisoners, fugitive or fugitives, shall be discharged under this act, the future estates and effects of every such prisoner and fugitive shall remain and be liable to his, her, and their respective creditors as before the making of this act, (his, her, or their necessary wearing apparel, and bedding, for his, her, or their families, and working tools and implements necessary for his, her, or their trade or occupation, not exceeding the value of ten pounds in the whole, only excepted) and any creditor or creditors of any such prisoner or prisoners, fugitive or fugitives, may, at any time hereafter, sue out execution, extents, or other process, on any judgement at the time of such discharge recovered, or statute staple, or recognizance acknowledged by, or sentence or decree obtained against, any such prisoner or fugitive, but not against his, her, or their person, or his, her, or their respective wearing apparel, bedding, working tools, and implements, as aforesaid.

XXXIV. And be it also enacted, That any creditor or creditors of any prisoner or prisoners, fugitive or fugitives, who shall

be discharged under this act, may, at any time after any such discharge, commence and prosecute any action or suit against any such prisoner or fugitive, his, her, or their respective heirs, executors, or administrators, for the recovery of any sum or sums of money which shall be due from any such prisoner or prisoners, fugitive or fugitives, at the time of his or her said discharge, but shall not hold the person of any such prisoner or fugitive to special bail; nor shall take the person, necessary wearing apparel, bedding, tools, or implements, as aforesaid, of any such prisoner or fugitive in execution, or any judgement, sentence, or decree, which shall hereafter be recovered or obtained against any such prisoner or fugitive: and in any action or suit, which shall be hereafter commenced against any such prisoner or fugitive, his or her heirs, executors, or administrators, no benefit or advantage shall be had or taken, for that the cause of action did not accrue within three years next before the commencing of any such action or suit; nor shall any statute of limitation be pleadable, or be allowed to be pleaded in bar of or in any such action or suit, which shall be hereafter commenced by any such creditor or creditors against any such prisoner or prisoners, unless such cause of action or suit did not accrue within three years next before any such prisoner or fugitive shall be discharged under this act; and in any such case, the same may be pleaded by any such prisoner, his or her heirs, executors, or administrators.

recovery of debt due at the time of the prisoner's discharge,

but not hold the prisoner to special bail, nor take his person, wearing apparel, bedding, or tools, in judgement; and no advantage is to be taken of the cause of action not accruing within 3 years, nor of the statute of limitation. Exception.

XXXV. Provided always, and be it likewise enacted, That by the discharge of any prisoner or fugitive by force of this act, no other person or persons who was or were partner or partners in trade with any such prisoner or fugitive, at the time of his or her discharge under this act, or then stood bound, engaged with, or liable to, the payment of any debt with any such prisoner or fugitive, or engaged in any contract whatsoever together with any such prisoner or fugitive, shall be discharged from any such debt or demand; but every such other person and persons shall severally stand and be chargeable with, and liable to pay, such debt and debts, and to perform such contracts, in like manner as if any such prisoner or fugitive had never been discharged from the same.

Discharge of prisoner no acquittal to the copartner or sureties.

XXXVI. And be it further enacted, That if any gaoler or keeper, or reputed gaoler or keeper, of any prison or prisons, shall make, or cause to be made, any false entries in any book or books belonging to any prison or gaol under his care, or of which he is or was gaoler, or shall prepare or keep, or cause to be prepared or kept, any false book or books, in order for any false or untrue entry or entries to be made therein; or shall insert in any list to be delivered in as aforesaid, the name or names of any person or persons who was not a prisoner or prisoners in actual custody in any such gaol or prison upon the said twenty ninth day of September, one thousand seven hundred and sixty eight, or shall not have ever since remained in such actual custody; except as in the oath of any such gaoler or keeper, or reputed gaoler or keeper, shall be excepted; every such gaoler

Gaoler making false entries in the prison book or lists, forfeits 500l. with treble costs,

or

over and above all other penalties for such fraud.

orke eper, or deputed gaoler or keeper, shall, over and above the penalties which he shall be liable to for every such fraud, forfeit and pay the sum of five hundred pounds, to be recovered, with treble costs of suit, by and in the name, and for the use, of any person or persons who shall be prejudiced by any entry, or such false entries; which penalties shall and may be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed.

Prisoner refusing to declare the abode, &c. of the person at whose suit he is detained, or to come to the creditor in the lodge; is excluded the benefit of this act.

XXXVII. And be it further enacted, That if any prisoner, being thereunto required by any creditor, shall refuse to discover and declare the trade or occupation and habitation or last place of abode, of the person or persons at whose suit he or she is detained or charged in custody; or being called for and desired, by any creditor or creditors, to come to the lodge of the prison in which any such prisoner shall be confined, without some reasonable cause being made appear to the contrary; every such prisoner, upon proof being made thereof before the justices at any general or quarter session of the peace, or any adjournment thereof, to be held as aforesaid, shall not have or receive any benefit or discharge by or under this act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Justices for Com' York and Lincoln to meet at the county gaols, &c. for discharge of prisoners.

XXXVIII. And whereas there is but one common or county gaol for each of the respective counties of *York* and *Lincoln*, which said counties are each of them divided into several ridings or divisions, all which have several commissions of the peace; and if the gaolers of those gaols be obliged to carry the debtors, prisoners therein, to the quarter session of each riding or division, the same will be a very great charge, not only to such gaolers, but also to the prisoners in those large counties; be it therefore enacted by the authority aforesaid, That it shall and may be lawful for two or more justices of the peace for each of the ridings and divisions in the respective counties, at the common or county goal thereof respectively, or at some convenient place near thereto, and they are hereby required to assemble and meet, and to hold session there, by adjournment from their respective quarter session, from time to time, for the discharge of the respective prisoners therein, according to the powers, limitations, and directions of this act.

Those who are prisoners for their fees, or other demands of the gaoler or officer, to be discharged.

XXXIX. And be it further enacted by the authority aforesaid, That all debtors, and others, who were in prison on or before the said twenty ninth day of *September*, one thousand seven hundred and sixty eight, or since, in any of the gaols of this kingdom, and now remain there for not paying their fees, rents, or any other demands, due, or claimed as due, to the keeper or gaoler of any prison respectively, or to any other officer of any such prison, and upon no other account, shall be discharged therefrom, he, she, or they, taking the oath by this act required to be taken by prisoners.

XL. Pro-

XL. Provided always, That this act shall not extend to discharge any person out of prison, seeking his or her discharge under this act, with respect to any debt with which he or she shall stand charged at the suit of the crown, or shall be indebted to any body politick or corporate, or to any one person, in any sum exceeding the sum of one thousand pounds, besides interest and costs, unless such body politick or corporate, or creditor, shall consent thereto; and if any such body politick or corporate, creditor or creditors, to whom a sum exceeding one thousand pounds shall be owing, shall oppose the discharge of such prisoner, and shall insist that such prisoner be continued in gaol, that then, and in such case, such body politick or corporate, or creditor or creditors, opposing the said prisoner's discharge as aforesaid, shall, at his, her, or their proper costs and charges, allow and pay in the whole such a weekly maintenance to the said prisoner, not exceeding three shillings and six pence *per week*, in such manner as the said justices in their general or quarter session, or some adjournment thereof, shall order; and upon nonpayment of the same for the space of six weeks, the said prisoner, upon application to the said justices in their general or quarter session held as aforesaid, shall be discharged pursuant to the intent and meaning of this act.

Debtors to the crown, and prisoners who owe above 1000 l. to one person, unless the creditors consent, are excluded the benefit of this act.
Creditor opposing prisoner's discharge, to allow him 3 s. 6 d. *per week*.

On nonpayment, prisoner to be discharged.

XLI. Provided also, That every person and persons intituled, or to be intituled, to the benefit of this act, shall obtain their respective discharges on or before the first day of *August*, one thousand seven hundred and seventy one, or shall be excluded from all benefit of this act.

Discharges to be obtained by 1 August, 1771.

XLII. *And whereas it may happen that several persons who may claim and be intituled to the benefit of this act, are seised of an estate tail, in some freehold or copyhold lands, tenements, or hereditaments; which entail, with the remainders thereupon expectant, they have by law power to defeat and bar, either by levying a fine or fines, suffering a common recovery or common recoveries, or by surrender or surrenders thereof, whereby such person or persons said freehold or copyhold lands, tenements, or hereditaments, would be liable to the payment of their debts, and be delivered up, according to the terms of this act, for the benefit of their creditors; be it therefore enacted by the authority aforesaid, That, in every such case, such person or persons so seised as aforesaid, and who shall be intituled to, and claim the benefit of this act, shall, to all intents and purposes whatsoever in law, be deemed and taken, and is and are hereby declared, to be seised of such lands, tenements, and hereditaments, in fee; provided the same shall be delivered up to the creditor or creditors of every such prisoner, in the same manner as if such persons or person had actually levied a fine, suffered a common recovery or recoveries, or made a surrender or surrenders thereof, and thereby had become seised in fee; any law, or construction of law, to the contrary thereof in any wise notwithstanding.*

Persons seised of an estate tail, claiming the benefit of this act, are to deliver up the same to the creditors.

XLIII. *And whereas many prisoners who may be intituled to, and claim the benefit of this act, have been great dealers, or otherwise engaged*

gaged in large transactions, whereby they may be intitled to sundry and great debts and demands of various and intricate natures, and they may be intitled to equities of redemption of estates, subject and liable to mortgages, judgements, or other incumbrances, or to reversions, remainders, or other contingent estates in lands, tenements, or hereditaments, or to other trusts or interests in estates, both real and personal, which may not be sufficiently described or discovered in the schedule or inventory before directed to be delivered in, upon oath, by the prisoner to be discharged as aforesaid, or which may want his aid or assistance to adjust, make out, recover, or manage, for the benefit of the creditors; be it therefore enacted by the authority aforesaid, That

Assignees may apply for further examination of prisoner, touching the discovery of his effects, &c.

and justices may send for and examine the prisoner accordingly.

Prisoner refusing to appear, or to answer upon oath, may be committed.

it shall and may be lawful to and for the respective assignees of the estate and effects of such prisoner or prisoners who shall obtain his, her, or their discharge, in pursuance of this act, or any other person or persons duly authorized by them for that purpose, from time to time, to apply to any two or more of the justices of the peace for the county, riding, division, city, town, place, or liberty, where such prisoner or prisoners shall be then residing, thereby desiring, that such prisoner or prisoners may be further examined as to any matters or things relating to his, her, or their estate or effects; whereupon such justices shall send for, or call before them, such prisoner or prisoners by such warrant, summons, ways or means, as they shall think fit; and, upon such prisoner's appearing, shall examine him, her, or them, as well upon oath as otherwise, as to such matters and things as such assignee shall desire, relating to the estate and effects of such prisoner or prisoners; and if any prisoner or prisoners (on payment or tender of payment of such reasonable charges as such justices shall judge sufficient) shall neglect or refuse to come and appear, not having a lawful excuse, to be made known to such justices, and by them allowed, or, being come before them, shall refuse to be sworn or to answer to all such questions as by such justices shall be put to him, her, or them, relating to the discovery of his, her, or their estate or effects so vested, or intended to be vested, in such clerk of the peace, town clerk, or other officer, acting as clerk of the peace, or in such assignees, as aforesaid, that then it shall and may be lawful to and for such justices, by warrant under their hands and seals, to apprehend such prisoner or prisoners so offending as aforesaid, and him, her, or them, to commit to the county gaol, there to remain without bail or mainprize, until such time as he, she, or they, shall submit him, her, or themselves, to such justices, and answer upon oath to all such lawful questions as shall by such justices be put to him, her, or them, for the purposes aforesaid.

20 l. per cent. allowed on discovering within 12 months, any part of the prisoner's e-

XLIV. And be it further enacted by the authority aforesaid, That all and every such person and persons who shall, within twelve months after the discharge of such prisoner or prisoners, voluntarily come in and make a discovery of any part of such debtor or debtors real or personal estate as shall not be comprized in such schedule as aforesaid, before any justices aforesaid, shall

shall be allowed after the rate of twenty pounds *per centum*, out of the net produce of such debtor or debtors estate, which shall be recovered on such discovery, and which shall be paid to such person or persons so discovering the same, by the assignee or assignees of such prisoner's estate and effects.

XLV. Provided always, and be it enacted, That notwithstanding the discharge of any prisoner or prisoners by virtue of this act, if it shall hereafter appear the same was obtained fraudulently, or that any part of the oath taken by any such prisoner was not true; then, and in every such case, every such discharge shall be void and of none effect.

XLVI. And for the better discovery of the estate and effects of any prisoner who shall be discharged by virtue of this act, be it enacted by the authority aforesaid, That any person or persons who shall have accepted of any trust or trusts, and shall wilfully conceal or protect any estate, real or personal, of any such prisoner from his creditors, and shall not, within thirty days after any assignee or assignees shall, in pursuance of this act, be chose of any such prisoner's estate, discover and disclose to such assignee or assignees such trust and estate in writing, and deliver up or make over the same to such assignee or assignees, he, she, or they, so offending, shall, for every such offence, forfeit the sum of one hundred pounds, and also double the value of the estate, either real or personal, so concealed, to and for the use of the creditors of any such prisoner; to be recovered by action of debt, in any of his Majesty's courts of record at *Westminster*, in the name or names of the assignee or assignees of such prisoner's estate, together with treble costs of suit.

XLVII. And be it further enacted by the authority aforesaid, That it shall be lawful at all times hereafter, for any assignee or assignees of the estate or effects of any prisoner or prisoners, who shall be chose in pursuance of this act, by and with the consent of the major part in value of such prisoner or prisoners creditors, who shall be present at a meeting to be had on twenty one days publick notice being previously given for the purpose hereafter mentioned in the *London Gazette*, if the prisoner was in custody in *London* or within the weekly bills of mortality, and if not, then also in some news paper which shall be published in the county, city, or place, in or near which any such person shall have been in gaol, to make composition with any person or persons, debtors or accountants to such prisoner or prisoners, where the same shall appear necessary or reasonable; and to take such reasonable part of any such debt as can, upon such composition, be gotten, in full discharge of such debts and accounts; and also to submit any difference or dispute between such assignee or assignees, and any person or persons, for or on account, or by reason or means of any matter, cause, or thing, relating to such prisoner or prisoners estate or effects, or to any debt or debts due, or claimed to be due, to or from such prisoner or prisoners, to the final end and determination of arbitrators to be chosen by the said assignee or assignees, and the major part in value of

state not returned in the schedule.

Discharge obtained fraudulently, void.

Persons concealing any estate or effects of the prisoner, forfeit 100l. and double value, with treble costs of suit.

Assignees, with consent of the majority in value of the creditors, may compound for debts due to the prisoner's estate;

and may submit any dispute relating thereto to arbitration;

or otherwise
may settle and
agree the
same as they
shall think fit.

such creditors, and the party or parties with whom they shall have no difference, and to perform the award of such arbitrators, or of any umpire to be chosen by them; or otherwise to settle and agree the matters in difference and dispute between them, in such manner as the said assignee or assignees, with such consent as aforesaid, shall think fit, and can agree, and the same shall be binding to all the creditors of such prisoner or prisoners; and every such assignee or assignees is and are hereby indemnified for what they shall fairly do in the premises in pursuance of this act.

Assignees may
be petitioned
againſt, for
inſufficiency,
fraud, miſ-
management,
or other miſ-
behaviour;

the court
thereupon is
to ſummon
the parties
and make
ſuch orders
therein as they
ſhall think fit.

XLVIII. And, to the intent and purpose that the estate and effects of such prisoner or prisoners as shall be discharged by virtue of this act, may be duly and faithfully applied for the benefit of his, her, or their real creditors, be it enacted by the authority aforesaid, That it shall and may be lawful to and for the respective courts at *Westminster*, and the courts of great session in *Wales*, and in the principality of *Chester*, and the counties palatine of *Lancaster* and *Durham*, respectively, from whence any process issued upon which any such prisoner or prisoners was or were committed, or where the process issued out of any other court, to and for the judges of the court of *King's Bench*, *Common Pleas*, and *Exchequer*, or of *Great Sessions* aforesaid, within their respective jurisdictions, or any one of them, from time to time, upon the petition of any such prisoner, or the creditor or creditors of such prisoner or prisoners, complaining of any insufficiency, fraud, mismanagement, or other misbehaviour of any assignee or assignees of the estate or effects of any such prisoner or prisoners, to summon all parties concerned, and, upon hearing the parties concerned therein to make and give such orders and directions therein, either for the removal or displacing such assignee or assignees, and the appointing any new assignee or assignees in the place or stead of such assignee or assignees so to be removed or displaced, or for the prudent, just, or equitable management or distribution of the estate and effects of any such prisoner for the benefit of the respective creditors, as the said courts or judges respectively shall think fit; and in case of the removal or displacing of any assignee or assignees, and the appointing of any new assignee or assignees, the estate or effects of such prisoner or prisoners shall, from thenceforth, be divested out of the assignee or assignees so removed or displaced, and be vested in, and delivered over to, such new assignee or assignees, in the same manner, and for the same intents and purposes, as the same were before vested in the assignee or assignees first chose as aforesaid; any thing in this act contained to the contrary notwithstanding.

Where mutual
credit has been
given, the bal-
ance to be
ſtated and al-
lowed.

XLIX. Provided always, and be it it enacted by the authority aforesaid, That in all cases where mutual credit hath been given between any prisoner or prisoners who shall be discharged in pursuance of this act, and any other person or persons, or body politick or corporate, before the delivery of such schedule or inventory of the estate and effects of such prisoner or prisoners,

ners, upon oath, as aforesaid, the respective assignee and assignees of such prisoner or prisoners is and are hereby authorized and required, on his and their parts, to state and allow an account between them and the other party or parties concerned; and nothing more shall be deemed to be vested in such clerk of the peace, town clerk, or other officer, acting as clerk of the peace, or such assignee or assignees under such clerk of the peace, town clerk, or other officer, acting as clerk of the peace, as the estate or effects of such prisoner or prisoners, than what shall appear to be justly due to him, her, or them respectively, as and for the balance of such account when truly stated.

L. And whereas many persons are often committed on attachments, for not paying money awarded to be paid under submissions to arbitration by rules of court, or under submissions to arbitration bonds, and which submissions have been made rules of the court, in pursuance of an act passed in the ninth and tenth years of the reign of William the Third, for determining differences by arbitration; and likewise for not paying of costs duly and regularly taxed and allowed by the proper officer, after proper demands made for that purpose; and also upon any writ of Excommunicato capiendo, or other process for, or grounded on, the non-payment of costs or expences in any cause or proceeding in any ecclesiastical court; it is hereby declared and enacted, That all such persons are and shall be intitled to the benefit of this act, and subject to the same terms and conditions as are herein expressed and declared with respect to prisoners for debt only.

LI. And whereas great numbers of poor people have been, and are now, imprisoned for debt upon processes issuing out of courts of conscience; it is hereby enacted and declared, That all such prisoners shall be intitled to have the benefit of this act, and be discharged under the same, provided he, she, or they, conform to the directions herein before prescribed, touching other prisoners who shall be discharged by virtue of this act.

LII. And be it further enacted by the authority aforesaid, That in all cases wherein by this act an oath is required, the solemn affirmation of any person being a Quaker, shall and may be accepted and taken in lieu thereof; and every person making such affirmation, who shall be convicted of wilful and false affirming, shall incur and suffer such and the same penalties as are inflicted and imposed by this act upon persons convicted of wilful and corrupt perjury.

LIII. Provided always, and be it further enacted by the authority aforesaid, That no person who took the benefit of an act passed in the fifth year of his present Majesty King George the Third, intitled, *An act for the relief of insolvent debtors*, shall have or receive any benefit or advantage of or under this act, nor be deemed to be within the intent and meaning thereof, so as to be discharged under the same; any thing herein before contained to the contrary notwithstanding.

P 3

LIV. Pro-

Prisoners, for not paying money, awarded under submissions to arbitration; for not paying costs; and upon writ of Excommunicato capiendo, &c. are intitled to the benefit of this act.

Those who are prisoners upon process out of courts of conscience, to have the benefit of this act. Quaker's affirmation to be taken in lieu of an oath.

Persons who took the benefit of the act of 5 Geo. 3, excluded.

This act not
to extend to
Scotland.

LIV. Provided also, and it is hereby enacted, That nothing in this act contained shall extend to that part of Great Britain called Scotland.

CAP. XXVII.

An act to continue certain laws therein mentioned, for granting, for a limited time, a liberty to carry rice from his Majesty's provinces of South and North Carolina and Georgia, directly to any part of America to the southward of the said provinces, subject to the like duty as is now paid on the exportation of rice from the said colonies to places in Europe situate to the southward of Cape Finisterre.

Preamble.

Act 4 Geo. 3.
for exporting
rice from
South Carolina
and Georgia,
&c.

and clause in
act 5 Geo. 3.
allowing like
liberty to
N. Carolina,

are continued
for the further
term of
5 years.

WHEREAS it is expedient that the laws herein after mentioned, which have been found useful and beneficial, and which are near expiring, should be continued: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the fourth year of the reign of his present Majesty, intituled, *An act for granting, for a limited time, a liberty to carry rice from his Majesty's provinces of South Carolina and Georgia, directly to any part of America to the southward of the said provinces, subject to the like duty as is now paid on the exportation of rice from the said colonies to places in Europe situate to the southward of Cape Finisterre*; and also a clause in an act made in the fifth year of his present Majesty's reign, intituled, *An act for more effectually securing and encouraging the trade of his Majesty's American dominions; for repealing the inland duty on coffee, imposed by an act made in the thirty second year of his late majesty King George the Second; and for granting an inland duty on all coffee imported (except coffee of the growth of the British dominions in America); for altering the bounties and drawbacks upon sugars exported; for repealing part of an act made in the twenty third year of his said late Majesty, whereby bar iron made in the said dominions was prohibited to be exported from Great Britain, or carried coastwise; and for regulating the fees of officers of the customs in the said dominions; which gave liberty to carry rice from North Carolina, in the same manner, and under the like entries, securities, restrictions, regulations, limitations, duties, penalties, and forfeitures, as were enacted by the said act made in the fourth year of his present Majesty's reign, with respect to carrying rice to the southward of South Carolina and Georgia; which have continuance for five years from the twenty fourth day of June, one thousand seven hundred and sixty four, and from thence to the end of the then next session of parliament; shall be, and the same are hereby continued from the expiration thereof for the term of five years, and from thence to the end of the then next session of parliament,*

CAP.

CAP. XXVIII.

An act to permit the inhabitants of Jersey and Guernsey to export directly from thence to Newfoundland, or the British Colonies in America, goods necessary for the fishery, under certain restrictions; and to import from thence non-enumerated goods (except rum) and to land the same in the said islands.

WHEREAS by an act made in the fifteenth year of the reign of his late majesty King Charles the Second, intituled, *An act for the encouragement of trade, it is amongst other things, enacted, That no commodity of the growth, production, or manufacture of Europe, shall be imported into any land, island, plantation, colony, territory, or place, to his Majesty belonging, or which shall hereafter belong unto, or be in the possession of, his Majesty, his heirs, and successors, in Asia, Africa, or America, (except as therein is excepted) but what shall be bona fide, and without fraud, laden and shipped in England or Wales, or the town of Berwick upon Tweed, under the penalties in the said act mentioned; and whereas by an act made in the fourth year of the reign of his present Majesty, any officer of his Majesty's customs is impowered to stop any British ship or vessel arriving from any part of Europe, which shall be discovered within two leagues of the shore of any of the British colonies or plantations in America, and to seize and take from thence, as forfeited, any goods (except such as in the said act are mentioned) for which the master or other person taking charge of such ship or vessel shall not produce a cocket or clearance from the collector or proper officer of his Majesty's customs, certifying that the said goods were laden on board the said ship or vessel in some part of Great Britain: and whereas the fishing trade carried on by the inhabitants of Jersey and Guernsey at Newfoundland, and other of the British colonies and plantations in North America, is highly beneficial to this kingdom, in the employing great numbers of seamen and ships, and in the use and consumption of great quantities of British manufactures; and it is therefore expedient for the encouragement of that trade, to permit the said inhabitants of Jersey and Guernsey to export directly from thence such articles as are necessary for their carrying on the said fishery: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for any person or persons inhabiting in the said islands of Jersey or Guernsey to ship and lade in the said islands, and to transport directly from thence to Newfoundland, or to any other of the British colonies or plantations in America, where the fishery is now or shall hereafter be carried on, on board any ship or vessel which may lawfully trade there, any sort of craft, food, victuals, cloathing, or other goods, fit and necessary for the fishery in those parts, or for the use and*

Preamble, re-
citing clauses
in act 15
Car. 2.

and 4 Geo. 3.

Inhabitants of
Jersey or
Guernsey al-
lowed to ex-
port to New-
foundland, or
other British
American co-
lonies, goods
of the growth

or manufacture of Great Britain, necessary for the fishery;

support of the mariners or other persons employed on board the vessels, or on shore, in carrying on the said fishery there; such craft, cloathing, or other goods, being the growth, produce, or manufacture of *Great Britain*, or of the said islands of *Jersey* or *Guernsey*, and such food or victuals being of the growth or produce either of *Great Britain*, *Ireland*, or the said islands of *Jersey* or *Guernsey*; any thing in the said acts, or any law or statute, to the contrary notwithstanding.

upon producing a certificate to the officer of the customs there that the goods, &c. are of such growth or manufacture;

II. Provided always, and it is hereby further declared and enacted by the authority aforesaid, That the master or other person taking charge of such ship or vessel shall produce, to the proper officer of the customs in the colony or plantation where he shall arrive, a certificate, under the hand and seal of the governor, lieutenant or deputy governor, or commander in chief for the time being, that oath had been made by the shipper of such goods before the magistrates of the royal courts in *Jersey* or *Guernsey* respectively, or any three of them that the goods and victuals so shipped on board such ship or vessel are of such growth, product, or manufacture, as aforesaid; which certificate shall also be attested by the principal officer of the customs in the said island respectively, who shall certify, that the said oath was taken in his presence; and on failure of producing such certificate as herein before directed, such craft, food, victuals, cloathing, or other goods, found on board any ship or vessel, and the vessel importing the same, shall be liable to be seized and forfeited, in the same manner as they would have been subject and liable if this act had not been made; any thing herein before contained to the contrary notwithstanding.

otherwise the same are liable to forfeiture.

Clause in act 6 Geo. 3.

III. And whereas by an act made in the sixth year of the reign of his present Majesty, intituled, An act for repealing certain duties in the *British* colonies and plantations granted by several acts of parliament; and also the duties imposed by an act made in the last session of parliament upon certain *East India* goods exported from *Great Britain*, and for granting other duties instead thereof; and for encouraging, regulating, and securing, several branches of the trade of this kingdom, and the *British* dominions in *America*; it is, amongst other things, enacted, that bond and security, in the penalties in the said recited act mentioned, shall be given to the collector or other principal officer of the customs at any port or place in any of the *British* American colonies or plantations, with one surety besides the master of every ship or vessel that shall lade or take on board there any non-enumerated goods, with condition that such goods shall not be landed at any part of Europe to the northward of Cape Finisterre, except in *Great Britain*; which exception was,

and 7 Geo. 3.

by an act made in the seventh year of his Majesty's reign, extended to *Ireland*: and whereas it is reasonable to extend the like exception to the islands of *Jersey* and *Guernsey*: be it therefore enacted by the authority aforesaid, That any non-enumerated goods, except rum, laden as aforesaid in any *British* American colony or plantation, may be landed in the said islands of *Jersey* or *Guernsey*; and that the said act made in the sixth year of his present Majesty's reign, and all the regulations therein contained, so far as

Non-enumerated goods, rum excepted, laden on board in any *British* American co-

the

the same relates to the bond and security for landing such non-enumerated goods in *Great Britain*, shall extend, and be construed to extend, to the said islands of *Jersey* and *Guernsey* also, as fully and effectually to all intents and purposes as if the said islands had been excepted and named in the said act; and that any bond which may have been or shall be entered into in pursuance of the said recited acts, or either of them, shall and may be cancelled and discharged by the certificate under the hands and seals of the magistrates of the royal courts of *Jersey* or *Guernsey* respectively, or any three of them, and the principal officer of the customs in such island respectively, testifying the landing such goods there, in the same manner as if the said goods had been landed in *Great Britain* or *Ireland*; any thing in the said acts to the contrary notwithstanding.

lony, allowed to be landed in Jersey or Guernsey, under the regulations in the recited act of 6 Geo. 3.

CAP. XXIX.

An act for the more effectual punishment of such persons as shall demolish or pull down, burn, or otherwise destroy or spoil, any mill or mills; and for preventing the destroying or damaging of engines for draining collieries and mines; or bridges, waggon ways, or other things used in conveying coals, lead, tin, or other minerals, from mines; or fences for inclosing lands in pursuance of acts of parliament.

WHEREAS by an act passed in the first year of the reign of his late majesty King George the First, intituled, An act for preventing tumults and riotous assemblies, and for the more speedy and effectual punishing the rioters, it is, among other things, enacted, That if any persons unlawfully, riotously, and tumultuously assembled together, to the disturbance of the publick peace, shall unlawfully and with force demolish or pull down, or begin to demolish or pull down, any church or chapel, or any building for religious worship, certified and registered according to the statute made in the first year of the reign of the late King William and Queen Mary, intituled, An act for exempting their Majesties protestant subjects dissenting from the church of England from the penalties of certain laws, or any dwelling-house, barn, stable, or other out-house; that then, every such demolishing or pulling down, or beginning to demolish or pull down, shall be adjudged felony without benefit of clergy; and the offenders therein shall be adjudged felons, and shall suffer death as in cases of felony without benefit of clergy: and whereas some doubts have arisen whether the said act extends to the pulling down and demolishing of mills: therefore, for remedying the mischiefs which may ensue therefrom, and for the more effectual punishment of such offenders, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if any person or persons unlawfully, riotously, and tumultuously assembled together, to the disturbance of the public peace, shall,

Preamble, reciting clauses in act of 1 Geo. 1.

and act 1 Wil. and Mary.

The riotously assembling, and demolishing, or beginning, at

ning to demolish, &c. any mill or mills, at any time after the first day of *July*, one thousand seven hundred and sixty nine, unlawfully and with force demolish or pull down, or begin to demolish or pull down, any wind saw mill, or other wind mill, or any water mill, or other mill which shall have been or shall be erected, or any of the works thereto respectively belonging; that then every such demolishing or pulling down, or beginning to demolish or pull down, shall be adjudged felony without benefit of clergy, and the offenders therein shall be adjudged felons, and shall suffer death as in case of felony without benefit of clergy.

II. *And whereas no effectual provision hath heretofore been made for preventing the burning of mills*, be it therefore enacted by the authority aforesaid, That if any person or persons shall from and after the first day of *July*, one thousand seven hundred and sixty nine, wilfully or maliciously burn, or set fire to, any wind saw mill, or other wind mill, or any water mill, or other mill; such person so offending, being lawfully convicted thereof, shall be adjudged guilty of felony without benefit of clergy, and shall suffer death as in case of felony without benefit of clergy.

III. *And for more effectually preventing the destroying of engines for draining collieries, coal mines, and other mines, and bridges and waggon ways used in conveying coals, lead, and other minerals from thence; and also fences made or to be made for inclosing lands by virtue of acts of parliament*; be it further enacted by the authority aforesaid, That if any person or persons shall at any time after the first day of *July*, one thousand seven hundred and sixty nine, wilfully or maliciously set fire to, burn, demolish, pull down, or otherwise destroy or damage, any fire engine or other engine erected, or to be erected, for draining water from collieries or coal mines; or for drawing coals out of the same; or for draining water from any mine of lead, tin, copper, or other mineral; or any bridge, waggon way, or trunk erected, or to be erected, for conveying coals from any colliery or coal mine, or staith for depositing the same; or any bridge or waggon way erected, or to be erected, for conveying lead, tin, copper, or other mineral, from any such mine; or any fence or fences that are or shall be erected, set up, provided, or made, for dividing or inclosing any common waste or other lands or grounds, in pursuance of any act or acts of parliament; every such person, being lawfully convicted of any or either of the said several offences, or of causing or procuring the same to be done, shall be adjudged guilty of felony, and shall be subject to the like pains and penalties as in cases of felony; and the court by or before whom such person shall be tried, shall have power and authority to transport such felon for the term of seven years, in like manner as other felons are directed to be transported by the laws and statutes of this realm.

IV. Provided always, That no person or persons shall be prosecuted by virtue of this act for any offence or offences committed contrary to the same, unless such prosecution be commenced within eighteen months after the offence committed.

C A P.

CAP. XXX.

An act for repealing so much of an act passed in the tenth year of her late majesty Queen Anne as relates to the harbour moorings of the royal navy; and for the more effectual preservation of such harbour moorings; and punishment of persons guilty of stealing or embezzling his Majesty's naval stores; or of forgery or perjury in relation to seamen's wages.

WHEREAS the provisions made by an act of parliament of the tenth year of her late majesty Queen Anne, for the preserving her Majesty's harbour moorings, have been found insufficient for preserving the harbour moorings belonging to his Majesty, and for securing the ships and vessels of the royal navy from being liable to be damaged by merchant ships or vessels: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of the said act, as relates to the preserving her said late Majesty's harbour moorings, shall be, and is hereby declared to be, from and after the twenty fourth day of June, one thousand seven hundred and sixty nine, repealed.

II. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of June, one thousand seven hundred and sixty nine if any merchant ship, or other ship or vessel, other than and except his Majesty's ships of war, or ships or vessels belonging to his Majesty's royal navy, or employed in his Majesty's service, shall stop or fasten to any of his Majesty's moorings, or fix themselves to any of his Majesty's ships or hulks, or ride or moor with their own anchors, so as in any manner, or with any wind, to be liable to bear against any of his Majesty's ships of war, or other vessels; the captain, master, commander, or person, then on board, and having the care or command of such merchant ship or vessel, shall forfeit and pay the sum of ten pounds for each and every tide such merchant ship or vessel shall stay and remain at the said moorings, or ride or moor with its own anchor, so as in any manner, or with any wind, to bear against any of his Majesty's said ships or hulks; unless it shall appear that such merchant ship or vessel was necessitated so to do by want of tide, stress of weather, or other unavoidable accident; one moiety of which forfeiture shall be applied to the use of the royal hospital at Greenwich, and the other moiety thereof to the use of him or them who shall sue for the same; to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at Westminster, with full costs of suit, wherein no essoin, privilege, protection, wager of law, injunction, or more than one imparlance, shall be allowed.

III. And be it further enacted by the authority aforesaid, That the person on board commanding any such merchant ship or vessel shall, and he is hereby required, upon an order given to him

Repeal of so much of the recited act of 10 Annæ, as relates to preserving her Majesty's harbour moorings. Vessels not in the government service stopping, or fastening to, any of the royal moorings or hulks, or mooring so as to be liable to bear against any of the King's ships, &c. forfeit 10 l. each tide; unless necessitated so to do. Application of the forfeiture.

Merchant ships may be unloosed and removed from

him

any such moorings, upon not complying with any order for the purpose ;

him in writing by any one or more officer or officers belonging to any of his Majesty's ships of war, docks, or yards, to unloose from the said moorings, and remove such merchant ship or vessel, in case it shall be then moored, with its own anchors, so as effectually to prevent the same from riding, or being in any manner, or with any wind, liable to bear against any of his Majesty's said ships or hulks ; and upon neglect or refusal of such officer to comply with any such order or orders for the space of twenty four hours next after such order or orders shall be so given, it shall and may be lawful to and for every such officer or officers of any of his Majesty's ships of war, docks, or yards, to unloose, or cause such merchant ship or vessel to be unloosed, as aforesaid, and to remove, or cause the same to be removed, so as effectually to prevent the same from riding, or being in any manner, or with any wind, liable to bear against his Majesty's said ships or hulks.

and the officers of the King's ships, or docks, are indemnified therein.

IV. And it is hereby declared and enacted, That every such officer and officers of his Majesty's ships of war, docks, or yards aforesaid, shall be, and he and they is and are hereby indemnified for what he or they shall so do, or cause to be done, in pursuance of this act.

Treasurer, and other officers of the navy, empowered to act as justices in any of the cases here mentioned ;

V. *And, for the more speedy and effectual bringing to justice persons who shall falsely assume the names or characters of officers or seamen, or other persons ; or shall forge or counterfeit, or cause to be forged or counterfeited, any letter of attorney, bill, ticket, certificate, assignment, last will, or other authority to receive any wages, pay, or other allowance, due to any officer, seaman, or other officer, in, or who has been or shall be in, his Majesty's service ; or shall utter or publish the same as true ; or who shall be guilty of stealing or imbezelling his Majesty's naval stores ;* be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of June, one thousand seven hundred and sixty nine, it shall and may be lawful to and for the treasurer, comptroller, surveyor, clerk of the acts, or any commissioner of the navy for the time being, and they are hereby respectively authorized and empowered, from time to time, in all places whatsoever, to do, perform, exercise, and execute, the office and duty of a justice or justices of the peace, to all intents and purposes whatsoever, in causing any person or persons who shall, at any time or times, from and after the said twenty fourth day of June, one thousand seven hundred and sixty nine, be charged with forging or counterfeiting, or procuring to be forged or counterfeited, any letter of attorney, bill, ticket, certificate, assignment, last will, or other power or authority ; or with uttering or publishing the same as true, in order to receive any wages, pay, or other allowance, due to any officer, seaman, or other person, who is or has been, or shall hereafter be, in the service of his Majesty, his heirs, or successors ; or with taking, or procuring false oaths to be taken, for any of the purposes aforesaid ; or to obtain a probat of any will, or letters of administration, in order to receive such wages, pay, or other allowance ; or with stealing or

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embezzling of any naval stores, the property of his Majesty, his heirs, or successors, to be apprehended, committed, and prosecuted, for the same; and all constables, headboroughs, and all constables are required to obey and execute their warrants accordingly. keepers of gaols and prisons, and all other officers whatsoever, shall, and they are hereby respectively required, from time to time, diligently to execute, perform, and obey, all such warrant and warrants as shall be made, directed, issued, or given to them, or any of them, by any one or more of the persons aforesaid, touching any of the matters and things herein before contained.

VI. And be it further enacted by the authority aforesaid, That if any person shall, after the said twenty fourth day of *June*, one thousand seven hundred and sixty nine, utter or publish, as true, any false, forged, or counterfeited letter of attorney, bill, ticket, certificate, assignment, last will, or any other power or authority whatsoever, in order to receive any wages, pay, or other allowances of money, or prize money, due or supposed to be due to any officer or seaman, or other person, who has really served or was supposed to have served, or who shall hereafter serve or be supposed to have served, on board of any ship or vessel of his Majesty, his heirs, or successors, with intent to defraud any person, knowing the same to be false, forged, or counterfeited; then every such person, being thereof lawfully convicted, shall be deemed guilty of felony, and shall suffer death as a felon without benefit of clergy.

Penalty of uttering any forged letter of attorney, bill, ticket, certificate, assignment, last will, &c. of any officer or sailor, to obtain any wages, prize money, &c. thereupon; is felony without benefit of clergy.

CAP. XXXI.

An act for the establishing and well governing an hospital for the reception, maintenance, and employment, of penitent prostitutes; and for extinguishing the right of common of and in certain lands in Saint George's Fields, in the county of Surrey.

Preamble. Corporation instituted for the purposes of this act. Their stile, &c. and power. Particular officers disqualified from acting as governors, the present officers excepted. The first president and vice presidents, treasurer, and committee. Vice presidents, treasurer, and committee, to be elected annually, who may compose a general court: their first meeting to be on 28 July 1769; a general court to be held quarterly; or oftener if necessary. Annual general court for electing the vice presidents, treasurer, committee, and other officers, &c. Power of the general court to enter into contracts; and to manage and transact all business, &c. and delegate proper powers to committees; and to order and dispose of the use of the common seal; and to make bye-laws, and to revoke or alter the same. No bye-law to be binding, unless confirmed by a succeeding general court. Election of a president, vice president, or treasurer, in the room of such as shall die, or resign. All questions at a general court or committee are to be decided by vote; unless five members demand a ballot, and then it is to be determined accordingly. General court empowered to appoint such officers, &c. as shall be judged necessary; or to remove or suspend them; and allow them reasonable salaries. Committee, at their weekly or other meetings, empowered to suspend or remove officers, &c. and appoint others, till a general court be held. Officers to account upon oath, &c. when required; and making default therein, may be committed, till he render account and payment, or compound. Persons admitted into the hospital, or employed therein, to gain no settlement in the parish thereby. Right of common extinguished upon the lands on which the hospital is intended to be built. Power to exchange certain lands vested in Robert Dingley and Philip Milloway, for the use of the said hospital. No building to be erected within ten feet of the roads to be made from the

the south end of Black Friars bridge. Limitation of actions. General issue. Treble costs. Publick act.

CAP. XXXII.

An act for paving, cleansing, lighting, and watching, the high streets and lanes in the parish of Saint Nicholas within the city of Rochester and parish of Strood in the county of Kent; and for making a road through Star Lane, across certain fields adjoining thereto, to Chatham Hill in the said county.

CAP. XXXIII.

An act for granting to his Majesty a certain sum of money to be raised by a lottery.

Preamble. The sum of 780,000*l.* granted; to be raised by a lottery. Natives or foreigners, who, in books opened at the bank, have subscribed to the said sum of 780,000*l.* and deposited 1*l.* in respect of every ticket, are to pay the remaining sum of 12*l.* as herein directed; viz. the further sum of 2*l.* in respect of each ticket, by 1 June; 3*l.* by 10 July; 3*l.* by 25 August; and 4*l.* by 3 October next. Contributors paying in the whole of their subscriptions by 22 August, to be allowed interest after the rate of 3*l.* per cent. to the 3d of October 1769. Tickets for the lottery to be delivered to subscribers completing their subscriptions. Cashier of the bank to give security for duly accounting for, and paying over the said monies into the exchequer. Treasury to apply the money to the services voted this session. 600,000*l.* part of the said sum of 780,000*l.* to be distributed into prizes; and paid into the bank, out of the supplies granted this session. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Ticket. Managers to examine the books with the tickets, and deliver them after to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of the monies paid in. The undisposed tickets to be delivered into the exchequer, &c. Tickets of the middle columns to be rolled up, and fastened with silk; and cut off indentwise, into a box marked with the letter (A) Box to be locked up and sealed. Books to be prepared with two columns, on each of which 60,000 tickets to be printed. The number and value of the fortunate tickets. 500*l.* to the first drawn ticket, and 1000*l.* to the last drawn. Tickets of the outermost columns of the last mentioned book to be rolled up, and tied, and cut out indentwise into a box marked with the letter (B) Box to be locked up and sealed. Publick notice to be given of the times of putting the tickets into the boxes. Lottery to begin drawing on 13 Nov. 1769. Method to be observed in drawing, &c. After each day's drawing, the boxes to be locked up and sealed. Numbers of the fortunate tickets, and the sums to be printed. Disputes relating thereto, to be adjusted by the managers. Penalty of forging, &c. tickets or certificates, felony. Managers to be sworn. The oath. Cashier to receive the sums subscribed, before receiving the lottery books; and to give a note for the same; the bearers intitled thereupon to one lottery ticket for every 13*l.* so paid. Contributors not making good their payments with respect to the said lottery, within the times limited, forfeit their deposits; and the tickets for such sums to be delivered back into the exchequer. Treasury to pay the managers, and defray the incidental expences. Limitation of sale of chances, &c. Penalty. Office-keepers, &c. selling shares in tickets of which they are not possessed, forfeit 500*l.* Offences committed in Ireland against acts for preventing unlawful lotteries, made punishable, and the penalties may be sued for in Dublin. The sum of 600,000*l.* payable in respect of the fortunate tickets, is charged upon the aids in general granted this session; and to be paid at the bank without deduction. After the drawing of the lottery, the tickets to be exchanged for certificates. Managers to give notice of the time for taking in the tickets, and delivering out the certificates, &c. Certificates to be numbered. Books to be kept for entering the names of persons bringing tickets to be exchanged, &c. Certificates to be signed, &c. Treasury to discharge all incident charges attending the execution of this act. No fee to be taken for receiving or pay.

paying the contribution-monies, or for issuing receipts or monies, on penalty of 20 l. General issue. Treble costs.

CAP. XXXIV.

An act for granting to his Majesty a certain sum of money out of the sinking fund; and for applying a certain sum therein mentioned for the service of the year one thousand seven hundred and sixty nine; and for further appropriating the supplies granted in this session of parliament.

Preamble, 1,664,822 l. 4 s. 5 d. 2 q. granted out of the sinking fund, for the service of the current year; to be issued by the treasury accordingly. Treasury impowered to raise the said sum, or any part thereof, by loans or exchequer bills, on the credit of the sinking fund; and to strike tallies of loan, with orders for repayment of the money so advanced; and interest payable quarterly. Orders to be registered in course. No undue preference to be given in payment, nor fee to be taken; on forfeiture of treble damages, with full costs. Penalty of undue preference in point of registry or payment; to be recovered in any of the courts of record at Westminster. No undue preference in the registering, where tallies or orders are brought the same day; nor if subsequent orders are paid before others not brought in course, so as money be reserved for the precedent orders. Power of assignment, and method of transferring of orders. If it shall be judged more advisable, the treasury may raise the said sum by exchequer bills, instead of loans; the bills in such case to be made as those prescribed by the malt act of this session. All advantages and penalties in the malt act of this session, relating to loans or exchequer bills thereby authorized to be made forth, extended to this act. The said exchequer bills, interest, and charges, are to be paid out of the sinking fund. Bank authorized to lend the said sum, notwithstanding act 5 & 6 Will. & Mary. The sum of 1,355,177 l. 15 s. 6 d. 2 q. surplus of the sinking fund in the exchequer on 5 April 1769, to be applied for the service of the current year. Appropriation of the supplies. The monies arising by the malt tax, land tax, loans, lottery, East India agreement, and such other sums as shall be paid into the exchequer by 5 April 1770; duties upon Gum Senega and Gum Arabic; and 59,879 l. 8 s. 5 d. 2 q. remaining in the exchequer on 5 April 1769; with the several sums before granted and specified; with the residue of the sums arising by sale of the French prizes, and by sale of lands in the ceded islands; viz. out of the aforesaid aids, 1,524,668 l. 8 s. 1 d. towards naval services herein specified; 400,000 l. towards paying off the debt of the navy; 177,947 l. 18 s. for the charge of the office of ordnance; 43,812 l. 19 s. to the said office, for services performed in 1768, not provided for. 1,358,056 l. 8 s. 11 d. 2 q. towards the land forces, and other services in general; of which 602,673 l. 15 s. 7 d. for guards and garrisons in Great Britain, Jersey, and Guernsey; 367,835 l. 18 s. 7 d. and one eighth part of 1 d. for guards and garrisons in the plantations, and Africa, Minorca, and Gibraltar, &c. and provisions for the forces abroad; 4,661 l. 12 s. 7 d. to make good the difference of pay between the British and Irish establishment, of troops in the Isle of Man, Gibraltar, Minorca, and ceded islands; 12,200 l. 18 s. 6 d. 2 q. for general and general staff officers; 127,020 l. to the reduced officers of the land forces and marines; 1,331 l. 13 s. to the two troops of horse guards, and regiment of horse reduced; and to the superannuated gentlemen of the 4 troops of horse guards; 4,763 l. 5 s. to reduced officers, with the 10th company of battalions reduced; 1,480 l. to the pensions of officers widows; 107,394 l. 15 s. 10 d. to the out-pensioners of Chelsea Hospital; 128,692 l. 2 s. 9 d. and seven eighth parts of a penny extraordinary expences of the land forces, and other services incurred, and not provided for; 513,511 l. to discharge the civil list debt. 1,800,000 l. towards paying off exchequer bills issued pursuant to an act of the last session; 16,500 l. to make good to his Majesty the like sum issued pursuant to the address of the house of commons; 3,000 l. for a passage to the house of commons. 4,375 l. 17 s. 11 d. for supporting the civil establishment of Nova Scotia; 3,086 l. for the civil establishment of Georgia; 4,750 l. for the civil establishment of East Florida; 4,800 l. for the civil establishment of West Florida; 1,785 l. 4 s. towards expence of general surveys in America; 13,000 l. for the forts and settlements in Africa, under direction of the

the African company; 5,550 l. charges of the civil establishment of Senegambia; 19,967 l. 10 s. to the Foundling Hospital; and 5,600 l. towards apprenticing children from thence; 3,231 l. 16 s. to repay monies advanced by the governors in apprenticing such child out. 4,000 l. towards erecting a magazine for gunpowder in Portsmouth harbour. 5,000 l. to the Levant company; 2,000 l. for repairing and widening roads in Carnarvonshire. 2,000 l. to Charles Dingley for erecting a wind saw mill, &c. 47,531 l. 18 s. 6 d. to replace to the said fund the like sum paid thereout, for deficiency in annuities on the act of 31 Geo. 2. 18,930 l. 3 s. 4 d. 3 q. to replace to the sinking fund deficiencies paid thereout on annuities granted by act 3 Geo. 3. 186,043 l. 1 s. 7 d. 3 q. to make good deficiency of the grants for 1768. The said aids to be applied to the uses only before mentioned. Rules to be observed in the application of the half-pay. Act 8 Geo. 3. Rules to be observed in the application of the surplus of the several sums of 132,431 l. appropriated in 1766 to the payment of reduced officers.

CAP. XXXV.

An act for discontinuing, upon the exportation of iron imported in foreign ships, the drawback of such part of the duties payable thereon as exceeds the duties payable upon iron imported in British ships; to prohibit the exportation of pig and bar iron, and certain naval stores, unless the pre-emption thereof be offered to the commissioners of the navy, to repeal so much of an act made in the sixth year of his present Majesty's reign, as discontinued the drawback upon foreign rough hemp exported; for providing a compensation to the clerks in the offices of the principal secretaries of state, for the advantages such clerks enjoyed before the commencement of an act, made in the fourth year of the reign of his present Majesty, for preventing frauds and abuses in relation to the sending and receiving letters and packets free from the duty of postage; and to explain and amend the said act.

Preamble.

WHEREAS the duties payable upon iron imported into Great Britain in foreign built ships navigated by foreigners, exceed the duties that are payable for such iron when imported in British built vessels navigated by British subjects; but the whole of such additional duty paid by the importers of iron in foreign built ships being drawn back and repaid upon the exportation thereof, is an encouragement to the importation of iron in foreign built ships navigated by foreigners, and may tend to the prejudice of the trade and navigation of this kingdom: for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That from and after the first day of June, one thousand seven hundred and sixty nine, such part of the duties which have been or shall be paid upon iron imported in foreign built ships navigated by foreigners, as exceeds the duties which would have been payable upon such iron, if the same had been imported

Drawback discontinued of so much of the duties upon exportation of iron imported in foreign bot-

in *British* built ships navigated by *British* subjects, shall not be drawn back or repaid upon the exportation of such iron from this kingdom; any law, custom, or usage, to the contrary notwithstanding.

toms, as exceeds the duties upon iron imported in *British* ships.

II. And whereas by several acts of parliament, pig and bar iron made in his Majesty's colonies in America, may be imported directly from thence, under certain restrictions, into any port of Great Britain, duty-free; and for the better supply of his Majesty's royal navy with naval stores, various bounties or premiums are allowed upon the importation of masts, yards, bowsprights, tar, pitch, turpentine, hemp, and rough and undressed flax, into this kingdom: and whereas, the good purposes intended by those acts are in some measure defeated by the re-exportation of such goods into foreign parts; and it is proper that further provision should be made for the supply of naval stores for the public use: be it therefore enacted by the authority aforesaid, That from and after the first day of *June*, one thousand seven hundred and sixty nine, the pre-emption or refusal of all pig and bar iron, masts, yards, bowsprights, tar, pitch, turpentine, hemp, rough and undressed flax, and tow, shall be offered and tendered to the commissioners of his Majesty's navy, eight days before any such goods shall be exported, or entered for exportation, by way of merchandize to foreign parts from the port of *London*, and twenty days before any such goods shall be exported, or entered for exportation, by way of merchandize to foreign parts from any other port or place in this kingdom; and if, within the said times respectively after such tender, the said commissioners of his Majesty's navy shall not contract or bargain for the same, the said commissioners, or any three or more of them, shall give a certificate of such tender and refusal under their hands (without fee or reward) to the owner or owners of such goods; and upon his or their producing and delivering up such certificate to the collector and comptroller or other principal officer of the customs, at any port of this kingdom, it shall and may be lawful for such owner or owners of such goods to export the same from thence, in the same manner, and under the same rules and regulations, as they might have been lawfully exported if this act had not been made.

Pig and bar iron, and certain naval stores, prohibited to be exported, unless the pre-emption be offered to the commissioners of the navy;

III. And it is hereby further enacted by the authority aforesaid, That if any pig or bar iron, masts, yards, bowsprights, tar, pitch, turpentine, hemp, rough and undressed flax or tow, shall, from and after the said first day of *June*, one thousand seven hundred and sixty nine, be exported from this kingdom to foreign parts, or entered outwards, or laden on board any ship, vessel, or boat, in order to be exported, or shall be put on board any boat or vessel, in order to be shipped for exportation by way of merchandize, without being first tendered to the commissioners of his Majesty's navy, as before directed; or before their certificate of such tender and refusal shall be produced and delivered up to the proper officers of the customs at the port of exportation, such goods shall be forfeited and lost, and shall and

and if exported, or entered or laid on board, without being so offered,

or before a certificate produced of such tender and refusal, the same may

be seized ;
and if that
can't be done,
the exporter
forfeits the
value.

may be seized by any officer of his Majesty's customs ; and if the said goods shall be exported before any discovery thereof, so that they cannot be seized, in such case the owner or exporter of such goods shall forfeit the value thereof, to be estimated and computed according to the best price that each article then bears at *London* ; which penalties and forfeitures shall and may be sued for, prosecuted, recovered, and divided, in the same manner and form, and by the same rules and regulations, as other penalties and forfeitures inflicted by the laws relative to the revenue of customs may be sued for, prosecuted, recovered, and divided.

Recital of
clause in act
6 Geo. 3. dis-
continuing
the drawback
upon foreign
rough hemp
exported :

The recited
clause re-
pealed.

Recital of
clause in act
4 Geo. 3.
touching the
duties of
postage.

1500 l. per an-
num to be paid
out of the re-
venues of the
general post
office, to the
clerks in the
offices of the
principal se-
cretaries of
state,

IV. *And whereas by an act made in the sixth year of the reign of his present Majesty, intituled, An act for allowing a bounty on the exportation of British made cordage ; and for discontinuing the drawback upon foreign rough hemp exported ; it is, amongst other things, enacted, That the drawback, which by any act or acts of parliament is allowed and made payable upon the exportation of foreign rough hemp from this kingdom, shall cease, determine, and be no longer paid or payable : and whereas the allowing the said drawback, under certain restrictions, may encourage the importation of foreign rough hemp into this kingdom, for the better supply of his Majesty's royal navy therewith : be it therefore enacted by the authority aforesaid, That from and after the first day of June, one thousand seven hundred and sixty nine, the said clause in the before recited act of the sixth year of his Majesty's reign, discontinuing the said drawback upon the exportation of foreign rough hemp from this kingdom, shall be, and the same is hereby declared to be, repealed.*

V. *And whereas by an act made in the fourth year of his present Majesty's reign, for preventing frauds and abuses in relation to the sending and receiving of letters and packets free from the duty of postage ; the clerks in the offices of his Majesty's principal secretaries of state are deprived of the privileges of sending and receiving their letters free from the duty of postage, which had been uninterruptedly enjoyed ever since the establishment of the post office ; and that the privilege of franking news papers reserved to them by the said act, is by the regulations therein contained rendered of very little advantage to them, and is likely soon to be intirely lost, by reason of the great expence they are put to for post letters, and from the methods by which news papers are now dispersed into the country : as a recompence therefore for the loss of such privileges, and as a compensation for the advantages heretofore arising therefrom ; be it further enacted by the authority aforesaid, That there shall be and is hereby charged upon the revenues arising in the general letter office or post office, or office of post master general, the sum of one thousand five hundred pounds per annum, which shall be payable thereout to his Majesty's principal secretaries of state for the time being, in equal proportions, to be distributed by such respective secretaries of state among the clerks in their offices ; which said annual sum shall be made in quarterly payments, to be computed from the twenty fifth day of March, one thou-*

sand

and seven hundred and sixty nine; and that the paymaster or receiver of the revenues of the general letter office or post office, or office of post master general for the time being, shall, upon any warrant or warrants under his Majesty's royal sign manual, countersigned by any three or more of the commissioners of his Majesty's treasury, or by the lord high treasurer for the time being, make such quarterly payments to such person or persons as shall be appointed by such secretaries of state for the time being, to receive their respective proportions of the said annual sum; such person or persons producing and delivering to such paymaster or receiver a receipt or receipts under the hands of such secretaries of state; and which receipt or receipts shall be a full acquittance and discharge to such paymaster or receiver for the payment of the sum or sums mentioned therein.

VI. *And whereas by an act made in the fourth year of his present Majesty's reign, intituled, An act for preventing frauds and abuses in relation to the sending and receiving of letters and packets free from the duty of postage, it is provided, that nothing therein contained should extend to charge with the duty of postage any printed votes or proceedings in parliament, or printed news papers, being sent without covers, or in covers open at the sides, which should be signed on the outside thereof by the hand of any member of parliament, in such manner as had been theretofore practised, or which should be directed to any member of parliament at any place whereof he should have given notice in writing to the postmaster general, or to his deputy at Edinburgh or Dublin respectively; but that all such votes, proceedings, and news papers, so sent and signed, or directed as aforesaid, should be received free of the duty of postage: and whereas doubts have arisen with respect to the duration of the time allowed by the said act for the conveyance of such votes, proceedings, and news papers, free from the duties of postage; be it therefore declared and enacted by the authority aforesaid, That it is the true intent and meaning of the said act, that such votes, proceedings, and news papers, so sent and directed as aforesaid, should be conveyed free from the duty of postage during such times only as are allowed and limited in the preceding part of the said act for the conveyance, free of postage, of letters and packets not exceeding the weight of two ounces, sent from or to any member of either of the two houses of parliament in Great Britain or Ireland respectively, in such manner as in the said act is particularly expressed; that is to say, During the sitting of any session of parliament, or within forty days before or forty days after any summons or prorogation thereof.*

VII. *And whereas by a clause in an act of the fifth year of his present Majesty, intituled, An act to alter certain rates of postage, and to amend, explain, and enlarge, several provisions in an act made in the ninth year of the reign of Queen Anne, and in other acts relating to the revenue of the post office, the clerk of the parliaments and the clerk of the house of commons are impowered to send and receive letters free of postage: and whereas the privilege of sending and receiving letters and packets free from the duty of postage*

Clause in the said act respecting the time of privilege to members of sending the votes of the house of commons, and printed news papers, free of postage:

The said time limited to the session of parliament, or within 40 days before or 40 days after.

Clause in act 5 Geo. 3. respecting the post office.

The clerk assistant and reading clerk of the house of peers; and the clerk assistant and chief clerk without doors of the house of commons, may send and receive letters duty free.

is not by the said act extended to the clerk assistant, and the reading clerk of the house of peers, and the clerk assistant of the house of commons of Great Britain, and the chief clerk without doors (who receives the fees and pays them to the officers of the said house) respectively for the time being; who by virtue of their respective offices and employments necessarily send and receive many letters relating to the public concerns of these kingdoms; be it therefore enacted by the authority aforesaid, That from and after the passing of this act, the said clerk assistant and the said reading clerk of the house of peers; and also the said clerk assistant and the said chief clerk without doors of the house of commons of Great Britain for the time being, shall and may respectively send and receive letters free from the duty of postage, in the same manner and under such restrictions as any member of either of the two houses of parliament of Great Britain now send and receive the same, in pursuance of an act made in the fourth year of the reign of his present Majesty, intituled, *An act for preventing frauds and abuses in relation to the sending and receiving of letters and packets free from the duty of postage.*

CAP. XXXVI.

An act for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and sixty nine.

Preamble. 400,000 l. payable into the exchequer by the East India company, and produce of the duties on Gum Senega and Gum Arabic; and 59,879 l. 8 s. 5 d. 2 q. reserved in the exchequer for the disposition of parliament, to be issued towards making good the supplies granted this session. 30,000 l. out of such monies as shall be paid into the exchequer between 4 April, 1769, and 5 April, 1770, of the duties appropriated for the defence, &c. of the British American colonies, to be applied in paying the troops there; 109,864 l. 19 s. 4 d. 2 q. winter stoppages unapplied, of the cavalry serving in Germany in the last war, and balance of stock purse; with the balance of lord Chatham's account as paymaster general of the army; and of Thomas Calcraft as paymaster of the widows pensions, and money reserved in the office of the paymaster general of the army, to be applied in defraying the extraordinary expences of the army, &c. not provided for.

CAP. XXXVII.

An act for reviving several acts for preventing abuses in making bricks and tiles; and for indemnifying justices of the peace, and others, who have acted under the said acts; and for indemnifying persons who have omitted to make and file affidavits; and for allowing further time for paying duties omitted to be paid upon contracts with clerks and apprentices; for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders, lost, burnt, or destroyed; and for repaying to Joseph Glover and John Bill the duty by them paid on a cargo of wheat, and for allowing the same to be landed for

for home consumption; and for preventing parish poor being paid in base or counterfeit coin.

WHEREAS the laws herein after mentioned have been found to be very useful and beneficial, and are expired: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That so much of an act passed in the twelfth year of the reign of his late majesty King George the First, intituled, *An act to prevent abuses in the making of bricks and tiles, and to ascertain the dimensions thereof, and to prevent all unlawful combinations amongst any brickmakers or tilemakers, within fifteen miles of the city of London, in order to advance or enhance the price of bricks or tiles;* and so much of an act passed in the second year of the reign of King George the Second, intituled, *An act to explain and amend an act made in the twelfth year of his late Majesty's reign, intituled, An act to prevent abuses in the making of bricks and tiles, and to ascertain the dimensions thereof, and to prevent all unlawful combinations amongst any brickmakers or tilemakers, within fifteen miles of the city of London, in order to advance or enhance the price of bricks or tiles;* and also so much of an act passed in the third year of his said Majesty's reign, intituled, *An act for amending the acts therein mentioned, relating to the making of bricks,* as were in force and capable of taking effect upon the twenty fifth day of *March*, one thousand seven hundred and thirty two, shall, from the twenty fifth day of *December*, one thousand seven hundred and sixty nine, be revived, and have continuance from that time to the end of the next session of parliament.

So much of
act 12 Geo. 1.

and of act
2 Geo. 2.

and of act
3 Geo. 2. as
were in force
on 25 March,
1732,
are revived,
and further
continued to
25 Dec. 1769;

II. And be it enacted by the authority aforesaid, That all and every justice and justices of the peace, searcher and searchers, and every other person or persons whomsoever, who shall have acted in any case pursuant to the directions of the said acts, or either of them, since the said twenty fifth day of *March*, one thousand seven hundred and thirty two, shall be, and he and they is and are hereby indemnified, freed, and discharged, from and against all trespasses, penalties, and forfeitures whatsoever, which they or any of them shall or may have incurred by reason thereof.

and persons
who have acted
pursuant to
the directions
of the said
acts since the
said 25 March,
1732,
are indemnified.

III. And whereas divers persons may have omitted to cause affidavits to be made and filed in the proper offices, of the actual execution of contracts of clerks to attornies and solicitors, within the times limited by law, and may be in danger of incurring certain disabilities by such omission; be it therefore enacted by the authority aforesaid, That all and every person and persons who have omitted to cause such affidavit or affidavits to be made and filed as aforesaid, and who shall on or before the first day of *Michaelmas* term, one thousand seven hundred and sixty nine, cause one or more affidavit or affidavits to be made and filed in such manner

Further time
allowed to
persons who
have omitted
to make and
file affidavits
of the execution
of con-

tracts of clerks
to attornies
and solicitors.

as is directed by the laws in being, shall be, and are hereby indemnified, freed, and discharged, from and against all penalties, forfeitures, incapacities, and disabilities, in or by any act or acts of parliament mentioned, incurred, or to be incurred for or by reason of any neglect or omission in causing such affidavit or affidavits to be made out and filed, in such manner as is required by the laws in being; and such affidavit or affidavits so to be made out and filed as aforesaid, shall be as effectual, to all intents and purposes, as if the same had been made and filed within the respective times limited by the laws in being for that purpose.

IV *And, for the relief of any person or persons who, through neglect or inadvertency, have omitted to pay the several rates and duties, or any part thereof, upon monies given, paid, contracted, or agreed, for, with, or in relation to, any clerks, apprentices, or servants, who have been put or placed to or with any master or mistress, to learn any profession, trade, or employment, and to have such indentures, or other writings, which contain the covenants, articles, contracts, or agreements, relating to the service of such clerk, apprentice, or servant, stamped within the times by the several acts of parliament for those purposes respectively limited, or who have also, in like manner, omitted to insert and write, in words at length, in such indentures, or other writings, as aforesaid, the full sum or sums of money, or any part thereof, received, or in any wise directly or indirectly given, paid, or agreed or contracted for, with, or in relation to, every such clerk, apprentice, or servant, as aforesaid, be it enacted, That upon payment of the rates and duties upon monies or such part of such monies so neglected or omitted to be paid, as aforesaid, on or before the first day of September, one thousand seven hundred and sixty nine, to such person or persons to whom the same ought to be paid, and tendering the said indentures or other writings to be stamped at the same time, or at any time on or before the twenty ninth day of September, one thousand seven hundred and sixty nine (of which timely notice is to be given in *The London Gazette*) the same indentures or other writings shall be good and available in law or equity, and may be given in evidence in any court whatsoever; and the clerks, apprentices, or servants, therein named, shall be capable of following and exercising their respective intended trade or employment, as fully as if the said rates and duties, so omitted, had been duly paid, and the full sum or sums received or agreed for, as aforesaid, had been inserted; and the persons who have incurred any penalties by the omissions aforesaid, shall be acquitted and discharged of and from the said penalties; any thing in the said former acts to the contrary notwithstanding.*

V. *And whereas several bills commonly called Exchequer Bills, several tickets commonly called Lottery Tickets, several orders and certificates made forth in lieu of the said lottery tickets, and likewise for annuities of divers kinds, payable at or near the receipt of his Majesty's exchequer; as also several receipts of the cashiers of the governor and company of the bank of England, or some of them, for*

monies

Further time
allowed for
paying the
duties upon
apprentice
fees, and hav-
ing the inden-
tures stampd.

monies contributed there for the purchase of annuities transferrable in the books of the said governor and company, or for other monies payable there in pursuance of acts of parliament, have by casualty or mischance been lost, burnt, or otherwise destroyed, which exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders of the respective denominations aforesaid, were made forth by and in pursuance of several acts of parliament in that behalf; be it therefore enacted by the authority aforesaid, That in all cases where it shall appear, by affidavit to be made before any or either of the barons of the exchequer for the time being (who shall interrogate the deponent thereupon) to the satisfaction of such baron or barons, that any such exchequer bills, or any such tickets, certificates, receipts, annuity orders, or other orders as aforesaid, before the first day of May, one thousand seven hundred and sixty nine, have been, are, or shall be, lost, burnt, or otherwise destroyed, or that there be good reason to believe the same have been burnt, lost, or otherwise destroyed, it shall and may be lawful for the respective officers and persons appointed to issue or make forth such exchequer bills, tickets, certificates, receipts, annuity orders, or other orders, or to pay or discharge the same, or to issue any monies due or payable thereupon, upon producing a certificate from any or either of the said barons of such affidavit made before him or them (which affidavit the said barons, or any or either of them, is and are hereby authorized to take, and which certificate he or they is or are hereby required to make and grant without fee or reward) and on security given to the said respective officers and persons to their good liking, to indemnify them respectively against all other persons whatsoever, for or concerning the monies specified in or due upon such respective bill or bills, ticket or tickets, certificate or certificates, receipt or receipts, order or orders; they the said persons respectively shall and are hereby required to make forth duplicates of the said bills, tickets, certificates, receipts, and orders, at the request of the respective owners, and to pay, satisfy, and discharge, the same, and all such interest as is or shall be due on any of them carrying interest, or to make forth stock or transferrable annuities, in lieu of such receipts as he or they should have paid, satisfied, or discharged, or made forth on the said original bills, tickets, certificates, receipts, annuity orders, or other orders, if the same had been produced, and shall be allowed all such payments, sum or sums of money, in their respective accounts; and in all cases where the signing of the commissioners of his Majesty's treasury, or the lord high treasurer of Great Britain for time being, shall be necessary for making the said duplicates, or any of them, effectual for the purposes aforesaid, it shall and may be lawful to and for the said commissioners of his Majesty's treasury, or any three or more of them, or the lord high treasurer for the time being, to sign such duplicate accordingly.

VI. And whereas by an act of parliament made in the eighth year of his present Majesty's reign, to continue several acts made in the

Barons of the exchequer empowered to grant certificates for exchequer bills, lottery tickets, certificates, receipts, annuity orders, &c. lost, burnt, or otherwise destroyed, &c.

and the proper officers are thereupon to make forth duplicates of the said bills, &c. and to pay the monies due, security being given by the parties applying to indemnify them therein.

Treasury to sign such duplicates, as require their signing to make them effectual.

Clause in act 8 Geo. 3.

preceding session of parliament, the importation of wheat and wheat flour from his Majesty's colonies in America free of duty, was allowed until the first day of January, one thousand seven hundred and sixty nine: and whereas Joseph Glover and John Bill of the city of Bristol, merchants, sent out a vessel upon the third day of August, one thousand seven hundred and sixty eight, from the port of Bristol to Virginia for a lading of wheat, in order to import the same into this kingdom, under the provisions of the said act: and whereas from the badness of the weather and contrary winds both on the outward and homeward bound voyages, and the unavoidable delay for repairs in Virginia, the said vessel did not arrive at the port of Bristol till the fourth day of February last: and whereas the cargo of the said vessel, consisting of about four thousand five hundred bushels of wheat, was so much damaged in the voyage as to be unfit for exportation; and a deposit has been made at the custom-house in Bristol of two hundred and fifty five pounds on account of the duty upon the said wheat: and whereas the said cargo is in so perishing a state that the same, or the greatest part thereof, must be inevitably lost, if not permitted to be landed for home consumption: be it therefore further enacted by the authority aforesaid, That it shall and may be lawful for commissioners of his Majesty's customs, or other proper officer or officers, and they are hereby authorized and required to repay to the said Joseph Glover and John Bill, or their assigns, the said sum of two hundred and fifty five pounds so deposited as aforesaid; and that it shall and may be lawful for them the said Joseph Glover and John Bill, or their agent or agents, to land the said cargo of wheat, consisting of about four thousand five hundred bushels, without the payment of any subsidy, custom, duty, or imposition whatsoever, in the same manner to all intents and purposes as they might have done had the said vessel and cargo arrived before the expiration of the said act.

Joseph Glover and John Bill to be repaid 250 l. deposited as the duty upon the cargo of wheat imported by them from America;

and the wheat to be landed duty free.

Churchwardens, overseers, or others, intrusted to make payments to or for the use of the poor, making the same in any other than lawful money,

VII. And be it further enacted, That if any churchwarden or overseer of any parish, township, or place, or other person authorized or intrusted by them, or any of them, to make payments to or for the use of the poor within such parish, township, or place respectively, shall wilfully and knowingly, at any time from and after the twenty fourth day of June next, make any such payments in any base or counterfeit money, or in any other than lawful money of Great Britain; that then, upon complaint thereof made to any justice of the peace of the county, riding, division, or place, wherein such payment shall be so made as aforesaid, it shall and may be lawful to and for such justice, and he is hereby required, to summon the churchwarden, overseer, or other person charged with such offence, and in a summary way, upon his or their non-appearance or confession, or upon proof of such offence upon oath of one or more credible witness or witnesses (which oath the said justice is hereby authorized to administer) to adjudge the party so offending to forfeit and pay for each offence a sum not less than ten shillings, nor more than twenty shillings; and to levy the same by distress

forfeit not less than 10s. nor more than 20s. for every such offence;

distress and sale of the goods and chattles of such offender; rendering the overplus, if any, to the owner, after the charges of such distress and sale shall be deducted; which sum shall be applied for the use of any poor person or persons of such parish, township or place respectively, in such manner as the justice of the peace, who shall adjudge such forfeiture, shall direct or appoint. to be applied to the use of any of the poor of the parish.

C A P. XXXVIII.

An act for further encouraging the growth and culture of raw silk in his Majesty's colonies or plantations in America.

WHEREAS the giving further encouragement to the growth and culture of raw silk in his Majesty's colonies and plantations in America, will be a great advantage to the trade of the said colonies, and tend to the further improvement of the silk manufactures of this kingdom; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *January*, one thousand seven hundred and seventy, all and every person or persons who shall import or cause to be imported into the port of *London*, directly from the *British* colonies or plantations in *America*, in any ship or vessel, ships or vessels, that may lawfully trade to his Majesty's plantations, manned as by law is required, any raw silk of the growth or product of the said colonies or plantations, shall have and enjoy, as a reward or premium for such importation, the following sums (that is to say) For every hundred pounds value of such raw silk, to be ascertained as is herein after mentioned, the sum of twenty five pounds, and so in proportion for any quantity of greater or lesser value, from the first day of *January*, one thousand seven hundred and seventy, to the first day of *January*, one thousand seven hundred and seventy seven; for every hundred pounds value of such raw silk, the sum of twenty pounds, and so in proportion for any quantity of greater or lesser value, from and after the said first day of *January*, one thousand seven hundred and seventy seven, to the first day of *January*, one thousand seven hundred and eighty four; and for every hundred pounds value of such raw silk, the sum of fifteen pounds, and so in proportion for any quantity of greater or lesser value, from and after the said first day of *January*, one thousand seven hundred and eighty four, to the first day of *January*, one thousand seven hundred and ninety one; under such regulations as are herein after mentioned: to be paid upon demand to the importer of such raw silk by the receiver general of the customs, the collector or other proper officer of the port of *London*, out of the customs.

Preamble.
Premiums allowed on the importation, into the port of *London*, of raw silk of the growth of the *British* colonies in *America*;
viz. 25 l. for every 100 l. value thereof imported from 1 Jan. 1770, to 1 Jan. 1777;
20 l. for like value imported from 1 Jan. 1777, to 1 Jan. 1784;
15 l. for like value imported from 1 Jan. 1784, to 1 Jan. 1791;
to be paid out of the customs.

II. Provided always, and be it further enacted by the authority aforesaid, That in order to intitle the importer and importers of raw silk to the premium granted by this act, every But oath is to be made in *America*, before clearing out of the ves-

fel, that the
silk shipped
is of the
growth and
culture of one
of the British
colonies :

and a certifi-
cate of the
marks, num-
ber, tale, and
weight, of
each bale,

with the
names and
places of a-
bode of the
exporters, and
persons who
shall have
made oath as
aforesaid, and
to whom such
silk consigned
in London, is
to be brought
over by the
master of the
vessel,
and delivered
to the proper
officer of the
customs in
London be-
fore entry
made of such
silk there :
and he is also
to swear to
the identity of
such silk.

200l. penalty
of entering
foreign raw
silk, under the
denomination

merchant or other person or persons whatsoever who shall, after the said first day of *January*, one thousand seven hundred and seventy, load any raw silk on board any ship or vessel in any of the *British* colonies or plantations in *America*, shall, before the clearing out of the ship or vessel from thence, make proof on oath before the collector and comptroller of the customs and naval officer at the port or place where such raw silk shall be put on board, or any two of them, that the raw silk which he, she, or they, hath or have shipped on board such ship or vessel, (expressing the quantity thereof) is *bona fide* of the growth and culture of some or one of the *British* colonies or plantations in *America*, and specifying the colony or colonies, plantation or plantations respectively, of which it is the growth ; which oath the said collector and comptroller of the customs and naval officer, or any two of them, are hereby required and impowered to administer without fee or reward ; and the master, commander, or other person, taking charge of the ship or vessel, on board which such raw silk shall be loaded, shall also bring with him a certificate or certificates from such collector and comptroller of the customs and naval officer, or any two of them as aforesaid under their hands and seals of office (which certificate or certificates such collector and comptroller of the customs and naval officer, are hereby required and directed to grant without fee or reward) expressing the marks, number, tale, and weight, of the raw silk in each bale, parcel, or other package whatsoever, so shipped or loaded on board such ship or vessel ; with the name or names, place or places of abode, of the exporter or exporters thereof from the said *British* colonies or plantations in *America*, and the name or names, place or places of abode, of such other person or persons who shall have sworn the goods therein mentioned to have been of the growth and culture of the said *British* colonies or plantations in *America*, and the name or names of the person or persons to whom the same are consigned in the port of *London* ; which certificate or certificates the said master, commander, or other person, taking charge of such ship or vessel, shall, on his arrival in the said port of *London*, deliver to the collector, comptroller, or other chief officer of his Majesty's customs at the said port at or before the entry of the said raw silk ; and at the same time shall make oath before any one of them the said collector, comptroller, or chief officer of his Majesty's customs (who are hereby required and impowered to administer the same without fee or reward) that the said bales and parcels, and goods contained in such certificate, are the same bales and parcels, and goods, as were taken on board in the said *British* colonies or plantations in *America*.

III. And be it further enacted by the authority aforesaid, That if any person or persons shall, from and after the said first day of *January*, one thousand seven hundred and seventy, make, or cause to be made, an entry or entries of any foreign raw silk under the name or description of raw silk of the growth or culture

ture of any of the *British* colonies or plantations in *America*; or shall mix, or cause to be mixed, any foreign raw silk with raw silk of the growth or culture of the *British* colonies or plantations in *America*, with intent to receive any premium or bounty by this act granted; every person or persons so making, or causing to be made, such entry or entries, or mixing, or causing such mixture or mixtures to be made, shall forfeit and lose the sum of two hundred pounds for every such offence; and all such foreign raw silk, and in case of any mixture, the quantity so mixed both of foreign and *British* plantation culture or growth, or the value thereof, together with the bales or other packages containing the same, shall be forfeited; and shall and may be seized and prosecuted, or the value thereof be sued for, by any officer or officers of his Majesty's customs, as herein after mentioned.

of that of the British American growth; or mixing any such therewith, in order to receive the bounty:

together with forfeiture of the goods, &c.

IV. And be it further enacted by the authority aforesaid, That on the importation of any raw silk into the port of *London* from his Majesty's plantations in *America*, under the regulations aforementioned, it shall and may be lawful to and for the commissioners of his Majesty's customs, or their officers, and they are hereby required to examine the said raw silk, by opening each bale or package, and shifting the same in such manner as to see the whole contents; and to fix and ascertain, according to the best of their judgement and discretion, the true and real value thereof, according to the price raw silk then bears at market.

The bales to be opened by the officers of the customs, in order to ascertain the value:

V. And be it further enacted by the authority aforesaid, That when the said valuation shall have been so made by the commissioners of the customs, or their officers (which they are hereby required to do within the space of ten days after the landing of such raw silk) a certificate of such valuation shall be signed by the proper officer; upon producing which certificate to the receiver general of the customs, collector, or other proper officer of the port of *London*, such officer shall be and is hereby required forthwith to pay the premium, by this act directed, to the importer or owner of such raw silk.

A certificate of the valuation to be signed by the proper officer, and produced, in order to obtain payment of the premium.

VI. Provided always, and be it further enacted by the authority aforesaid, That in case any dispute or difference shall arise between the commissioners of the customs, or their officers, and the importer or owner of such raw silk, touching the valuation thereof, it shall and may be lawful for the said commissioners, and they are hereby required to call two or more persons well skilled in that commodity, who shall declare upon oath, if thereunto required, their opinion as to the real and true value of such raw silk, according to the price it would then bear at market; which valuation or award of the said two persons shall be final; and the person intitled to such premium or bounty, shall receive the same according to such valuation, to be certified as aforesaid.

Where there shall be any dispute about the valuation,

Two or more skilful persons to be called in, and give their opinion upon oath: and their award is made final.

VII. And be it further enacted by the authority aforesaid, That if any raw silk of the growth or product of his Majesty's colonies is to be repaid on exportation,

The premium is to be repaid on exportation,

colonies or plantations in *America* shall be exported from *Great Britain*, then, and in every such case, the persons exporting the same shall, before the entry thereof, pay unto the collector of the customs of the port where the same shall be exported, or to the chief officer of the customs there, the full sum which is allowed as a premium by this act on all such raw silk as he intends to export, over and above any duty the same is now by law subject to pay at exportation by any former act of parliament.

VIII. And be it further enacted by the authority aforesaid, That if any person, his, her, or their agent or agents, assignee or assigns, shall be found fraudulently to export or load on board any ship, vessel, or boat, in order to be exported, such raw silk, without paying such premium to the chief officer or collector of the customs, as aforesaid; such person and persons shall forfeit and lose all such raw silk, and double the value thereof.

IX. Provided always, That if any doubt or dispute shall arise whether the raw silk, or any part thereof, so to be exported, is of the growth or produce of his Majesty's colonies or plantations in *America*, or of foreign growth or produce, the *onus probandi* shall lie on the owner thereof, or the person claiming the bounty, and not on the informer or prosecutor; any law, custom, or usage, to the contrary notwithstanding.

X. And be it further enacted by the authority aforesaid, That if any collector or comptroller of the customs, or naval officer, shall make any false certificate; or if any merchant, trader, factor, or other person, shall make any false oath with regard to the growth of such raw silk; or if any master or commander of any ship or vessel shall make any false oath concerning the certificate or package of such raw silk; or if any person or persons shall counterfeit any such certificate as is herein before directed to be made, in order to obtain any premium hereby granted; all and every such person and persons, so offending in any of the cases aforesaid, shall forfeit the sum of two hundred pounds: and if any such person, so offending, shall be a collector, comptroller, or naval officer, or any other officer of the customs, he shall also forfeit and lose his office, and be incapable of serving his Majesty, his heirs, and successors.

XI. And be it further enacted by the authority aforesaid, That the several penalties and forfeitures by this act inflicted, shall and may be prosecuted, determined, and recovered, by bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, or in any of the courts of admiralty in his Majesty's plantations in *America* respectively, where such penalty or forfeiture shall be incurred; wherein no essoin, protection, wager of law, or more than one imparlance, shall be allowed.

XII. And be it further enacted by the authority aforesaid, That all penalties and forfeitures by this act imposed shall, if incurred in *Great Britain*, be applied, one moiety to the use of his Majesty, his heirs, and successors, and the other moiety to such person or persons as shall sue for the same; and all such penalties and forfeitures as shall be incurred in his Majesty's plan-

over and above the duty:

on forfeiture of such silk, and double the value, in case of fraudulent exportation.

In disputes about the growth of silk so to be exported, the proof is to lie on the owner, &c.

200 l. penalty of making a false certificate, or false oath; or counterfeiting any certificate;

and, if an officer, forfeiture of his place also, &c.

Recovery of the penalties and forfeitures,

and application thereof.

plantations in *America* shall be applied, one third part thereof to the use of his Majesty, his heirs, and successors, one third part to the use of the governor of the plantation where the forfeiture shall be incurred, and the remaining third part to such person or persons as shall sue for the same.

XIII. And be it further enacted by the authority aforesaid, Limitation of actions.
That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, every such action or suit, if in *Great Britain*, shall be commenced within six calendar months next after the fact committed; and if in the *British* colonies or plantations in *America*, within eighteen calendar months next after the fact committed, and not afterwards; and the defendant or defendants in any such action or suit may plead the general issue, and give this act, and General issue. the special matter, in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action, after the defendant or defendants shall have appeared, or if judgement shall be given upon any verdict or demurrer against the plaintiff; the defendant or defendants shall and may recover treble costs, and Treble costs. have the like remedy for the same as any defendant or defendants hath or have in other cases by law.

CAP. XXXIX.

An act to permit the free importation of certain raw hides and skins from Ireland and the British plantations in America, for a limited time; and for taking off the duties upon seal skins tanned or tawed in this kingdom, and for granting another duty in lieu thereof; for indemnifying all persons with respect to advising or executing any of his Majesty's orders of council prohibiting the importation of raw hides, horns, and hoofs, of infected cattle; and to authorize the prohibition of the importation of such hides, horns, and hoofs, for the future.

WHEREAS the allowing, for a limited time, the free im- Preamble,
portation of certain species of raw hides and skins from Ireland and the British colonies or plantations in America, and the reduction of the duties upon seal skins tanned or tawed in this kingdom, may tend to the ease of the public, by reducing the price and encouraging the manufacture of leather in this kingdom; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *June*, Raw hides and skins (those of horses excepted) allowed to be imported duty free
one thousand seven hundred and sixty nine, no subsidy, custom, duty, or other imposition whatsoever, shall be demanded, collected, received, or taken, for or upon any raw or undressed hides

from Ireland, or the British colonies in America, for the term of 5 years;

hides of steers, cows, or any other cattle of what kind soever (except of horses, mares or geldings); nor for or upon any calve skins or goat skins, raw or undressed, which shall be imported into this kingdom from *Ireland*, or any of the *British* colonies or plantations in *America*, for the space of five years from the said first day of *June*, or at any time thereafter before the end of the then next session of parliament; any act or acts of parliament to the contrary notwithstanding.

So as entry be made thereof at the port of importation, and the same be landed in the presence of an officer; otherwise they are liable to pay duty.

II. Provided always, and it is hereby further enacted by the authority aforesaid, That due entry shall be made of all such hides and skins, at the custom-house belonging to the port into which the same shall be imported, in such manner and form as were used and practised before the making of this act; and such hides and skins shall be landed in the presence of the proper officer or officers of the customs appointed for that purpose; and if any person or persons, upon the importation of such hides or skins, shall not observe and perform the said rules and regulations herein before mentioned, every such person shall be liable to and pay such and the same duties as such hides and skins would have been subject and liable to if this act had not been made; any thing herein contained to the contrary notwithstanding.

The former duties upon seal skins tanned or tawed in this kingdom are repealed; and in lieu thereof 1 d. 2 q. per lb. is to be paid;

III. And be it further enacted by the authority aforesaid, That from and after the first day of *June*, one thousand seven hundred and sixty nine, the rates and duties payable by virtue of any former act or acts of parliament upon seal skins tanned or tawed within this kingdom, shall cease, determine, and be no longer paid or payable.

IV. And be it further enacted by the authority aforesaid, That from and after the said first day of *June*, in lieu of the said duties by this act repealed, as aforesaid, there shall be raised, collected, levied, and paid, unto and for the use of his Majesty, his heirs, and successors, for and upon all seal skins which shall be tanned or tawed within this kingdom, a rate or duty of one penny halfpenny per pound weight, averdupois, of such seal skins; and after that rate for a greater or less quantity.

the said duty to be under the receipt and management of the commissioners and officers of excise;

V. And, for the better ascertaining, charging, collecting, raising, levying, and securing, the said rate or duty by this act imposed, and preventing frauds therein, be it further enacted by the authority aforesaid, That the rate or duty by this act made payable upon seal skins tanned or tawed in *England*, *Wales*, or the town of *Berwick upon Tweed*, shall be under the receipt and management of the commissioners and officers of his Majesty's revenues of excise in *England* for the time being; and the rate or duty by this act made payable upon seal skins tanned or tawed in *Scotland*, shall be under the receipt and management of the commissioners of excise in *Scotland* for the time being.

and to be raised, levied, and secured, &c. in all respects,

VI. And be it further enacted by the authority aforesaid, That the rate and duty by this act imposed or chargeable for and upon seal skins aforesaid, shall and may from time to time be ascertained, raised, received, levied, recovered, and secured, by

by such ways, means, and methods, and by the same or different stamps and marks, and under such pains of death, and other penalties and forfeitures, and with such powers of adjudging the said duty, and adjudging and mitigating the said penalties and forfeitures, or any of them, and other powers, and to such rules and directions, and in such methods, manner, and form, as the respective duties upon hides and skins, and pieces of hides and skins, made wares, vellum, and parchment, granted by an act made in the ninth year of the reign of her late majesty Queen Anne, intituled, *An act for laying certain duties upon hides and skins, tanned, tawed, or dressed, and upon vellum and parchment, for the term of thirty two years, for prosecuting the war, and other her Majesty's most necessary occasions*, are by that act, or any law or statute thereby referred unto, or by any law or statute relating to the duties of excise upon hides and skins, prescribed, appointed, or enacted, to be ascertained, raised, received, levied, secured, or recovered; and that the act last mentioned, and all the clauses, pains of death, penalties, forfeitures, powers, authorities, rules, directions, matters, and things, therein contained, or thereby referred unto, or contained in any other law or statute relating to the duties upon hides and skins, for the raising, receiving, levying, recovering, securing, paying, or accounting for, the duties thereby granted or therein mentioned, or any arrearages of the same, or any way relating to the same duties, pains, penalties, or forfeitures, by such act or acts chargeable, be applied, practised, and put in execution, for raising, receiving, levying, recovering, securing, paying, and accounting for, the duty upon seal skins by this act granted, and all arrearages thereof, as fully and effectually, to all intents and purposes, as if they were particularly and at large repeated in the body of this present act.

as the duties upon hides and skins, by act 9 Annæ.

VII. And be it further enacted by the authority aforesaid, That all monies arising by and in respect of the rate and duty hereby granted and imposed (the necessary charges of raising and accounting for the same excepted) shall from time to time be paid into the receipt of his Majesty's exchequer at *Westminster*, separate and apart from all other branches of the public revenue; and are hereby appropriated, and shall be issued and applied to the same uses and purposes, in such manner, and under such regulations, as the monies arising by the rates and duties hereby repealed are, by any law or laws now in being, appropriated unto, and directed to be issued and applied.

Duties to be paid into the exchequer;

VIII. And be it further enacted by the authority aforesaid, That a drawback of one penny per pound weight averdupois shall, from and after the said first day of June, be allowed upon the exportation of seal skins tanned or tawed in this kingdom, in lieu of any other drawback; and the said skins shall be exported, and the said drawback allowed and paid, in such and the same manner, and under the same regulations and restrictions, as any other hides and skins are exported, and the drawback thereupon is allowed and paid.

and to be applied as the former duties.

Drawback of 1d. per pound allowed upon the exportation of such tanned or tawed seal skins.

IX. And

Persons indemnified with respect to advising or executing his Majesty's orders of council, prohibiting the importation of raw hides, &c. of infected cattle; or for contracts not performed in obedience thereto.

General issue.

Double costs.

His Majesty impowered, by proclamation or order in council, to prohibit the importation of foreign hides or skins.

IX. *And whereas his Majesty, by certain orders in council to prevent the contagious distemper which raged amongst the horned cattle, in several foreign parts of Europe, being brought into the kingdoms of Great Britain and Ireland by the importation of hides, horns, and hoofs, of such infected cattle, was pleased to order that the utmost care should be taken not to permit any entry to be passed for the hides of horned cattle, either raw or salted, or horns and hoofs which were or might be imported into any of the ports of Great Britain or Ireland, until his Majesty's pleasure should be further signified; be it therefore enacted by the authority aforesaid, That all personal actions and suits, indictments, informations, and all prosecutions and proceedings whatsoever, which have been or shall be prosecuted or commenced against any person or persons, for or by reason of any act, matter or thing advised, commanded, appointed, or done, in relation to the premisses; or of any contract or agreement not performed by means of, or in obedience to, such order of council, be, are, and shall be, discharged and made void by virtue of this act; and that if any action or suit shall be commenced or prosecuted in that part of Great Britain called England, against any person or persons for any such act, matter, or thing, so advised, commanded, appointed, or done, or such contract or agreement not performed, he, she, or they, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs in any action or suit so to be commenced or prosecuted shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if judgement shall be given upon any verdict or demurrer against such plaintiff or plaintiffs, the defendant or defendants shall and may recover double costs, and shall have the like remedy for the same as any defendant or defendants hath or have in other cases by law: and if any such action or suit as aforesaid shall be commenced or prosecuted in that part of Great Britain called Scotland, or in the kingdom of Ireland, the respective court before whom such action or suit shall be commenced or prosecuted, shall allow to the defender the benefit of the discharge and indemnity hereby provided, and shall further allow to him his double costs of suit in all such cases as aforesaid.*

X. *And it is hereby further enacted by the authority aforesaid, That it shall and may be lawful to and for the King's most excellent majesty, his heirs, or successors, from time to time, as often as he or they shall find it necessary so to do, by his or their royal proclamation, to be issued by and with the advice of his or their privy council, or by his or their order in council, to be published in the London Gazette, to prohibit generally, or from any particular country or countries, the importation of any hides or skins, horns or hoofs, or any other part of any cattle or beast, into the kingdoms of Great Britain or Ireland, for such time or times to be therein mentioned, and under such rules, orders, and regulations, as his Majesty, his heirs, and successors, by the advice aforesaid, shall judge most expedient and effectual to prevent any contagious distemper from being*

being brought into these kingdoms; any law, custom, or usage, to the contrary notwithstanding.

XI. And be it further enacted by the authority aforesaid, That if any action shall at any time be brought against any person for any matter or thing which he or she shall do, or cause to be done, by virtue or in execution of this act, in every such case the defendant or defendants in every such action may plead the general issue, and give this act and the special matter in evidence on any trial or trials to be hereafter had in such action; and that if the plaintiff or plaintiffs in any such action shall discontinue such action, or become nonsuit, or if judgement shall be given against such plaintiff or plaintiffs in such action, the defendant or defendants in every such action shall recover his, her, or their, treble costs of suit.

General issue.

Treble costs.

C A P. XL.

An act for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty fifth day of March, one thousand seven hundred and sixty nine.

WHEREAS it is necessary that provision should be made for defraying the charge of the pay and cloathing for the militia, in that part of Great Britain called England, for one year, from the twenty fifth day of March, one thousand seven hundred and sixty nine; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That in every county, riding, or place, within that part of Great Britain called England, where the militia is or shall be raised, the receiver or receivers general of the land tax of such county, riding or place respectively, shall issue and pay the whole sums required, in the manner, and for the several uses herein after-mentioned; that is to say, for the pay of the said militia for four calendar months in advance, at the rate of six shillings a day for each adjutant, where an adjutant is appointed; and at the rate of one shilling for each serjeant, with the addition of two shillings and six pence a week for each serjeant major, where a serjeant major is appointed; and at the rate of six pence a day for each drummer, with the addition of six pence a day for each drum major, where a drum major is appointed; and also at the rate of six pence a month for each private man and drummer, for defraying the contingent expences of each regiment, battalion, and independant company of militia; one penny whereof shall be applied for defraying the hospital expences of each regiment, battalion, or independant company, during the time of the mens being from home, upon account of their annual exercise; and also for half a year's salary for the clerk of each regiment or battalion of militia belonging to such county, riding, or place, at the rate of fifty pounds a year; and also for the respective

Preamble.

Where the militia is or shall be raised, the receiver general of the county is to issue 4 months pay in advance, according to the establishment of pay here set down;

with half a year's salary to the regimental and

battalion
clerks;
and the allow-
ance to the
clerks of the
general and
subdivision
meetings;
and pay for
cloathing of
the militia.

lowances to the clerk of the general meetings, and clerks of the several sub-division meetings, at the rates following; that is to say, to the clerk of the general meetings, at the rate of five pounds five shillings for each meeting; and to the several clerks of the subdivision meetings, at the rate of one pound one shilling for each meeting; and also for the cloathing of the militia for such county, riding, or place, after the rate of three pounds ten shillings for each serjeant, and two pounds for each drummer, with the addition of one pound for each serjeant major, and each drum major; and with respect to the private militia men, where the militia hath not been cloathed within three years, at the rate of one pound ten shillings for each private man.

The above
sums are not
to be paid, if
pay has not
before been
issued, till the
lord lieuten-
ant or depu-
ties shall have
certified to the
treasury and
receivers gene-
ral the in-
rolment of 3
fifths of the
men and offi-
cers.

II. Provided nevertheless, That in any county, riding, or place, where pay has not yet been issued for the militia, no pay shall be issued until his Majesty's lieutenant, or, in his absence, or in case of a vacancy by the death or removal of his Majesty's lieutenant, any three deputy lieutenants, of any such county, riding, or place, shall have certified to the commissioners of his Majesty's treasury, and the receiver general of the land tax, that three fifths of the number of private militia men of such county, riding, or place, have been inrolled, and that three fifths of the proportion of their commission officers have accepted their commissions, and entered their qualifications as by law required.

The money is
to be paid by
the receiver-
general to the
clerk of the
regiment or
battalion (ex-
cept the allow-
ances to the
clerks of the
meetings and
for cloathing)
upon produc-
ing the war-
rant of his
appointment;

III. And be it enacted, That all such sums of money granted for the pay of the militia as aforesaid, except such as shall be due to the several clerks of the meetings aforesaid, and except such as shall be due on account of cloathing, shall, where the militia has never been embodied, be paid by the said receiver or receivers general of the land tax, into the hands of the clerk or clerks of the regiments or battalions of militia belonging to such county, riding, or place, upon his or their producing his or their warrant or warrants of appointment to such office, under the hand and seal of his Majesty's lieutenant for such respective county, riding, or place; and where the militia has been embodied, into the hands of the clerk or clerks of the regiments or battalions, upon his or their producing his or their warrant or warrants of appointment to such office, under the hand and seal of the colonel, or, where there is no colonel, of the commanding officer of each regiment or battalion respectively, notwithstanding such militia shall have been disembodied; and where the militia shall be formed into an independant company, or independant companies, such sums as aforesaid shall be paid by the said receiver or receivers general of the land tax, into the hands of the respective captain of each independant company of militia, or to such person as such respective captain shall authorize to receive the same, according to the number of persons hereby intituled to receive pay and cloathing, of which such regiment or regiments, battalion or battalions, independant company or independant companies, shall have been appointed to consist, according to the establishment laid down in an act passed in the second year of the reign of his present Majesty, intituled,

and for inde-
pendant com-
panies, to the
respective cap-
tains, or to
their order;

according to
the establish-
ment laid

intituled, *An act to explain, amend, and reduce into one act of parliament, the several laws now in being, relating to the raising and training the militia within that part of Great Britain called England*; and such receiver or receivers general of the land tax shall also, within fourteen days after the expiration of the third calendar month from the time of the said first payment, make a second payment for four calendar months in advance; and shall also, within fourteen days after the expiration of the three calendar months from the time of the said second payment, make a third payment for four calendar months in advance, for the pay and contingent expences of the militia, and for the allowances to the regimental or battalion clerk or clerks aforesaid, in the proportions herein before mentioned; and the receipts of such clerk or clerks, and of such captain of an independant company, or captains of independant companies, or of such person or persons as such captain or captains shall so authorize to receive such money as aforesaid, shall be a sufficient discharge to such receiver or receivers general of the land tax for the several sums of money so by him or them paid.

IV. And be it enacted, That the clerk of each regiment or battalion of militia shall forthwith, after the receipt of such sums of money as aforesaid, pay, or cause to be paid, one calendar month's pay in advance to the adjutant of such regiment or battalion respectively; and to the captain or officer commanding each company belonging to such regiment or battalion, two months pay in advance for the serjeants and drummers; and also to the officer commanding the company to which the serjeant major and drum major shall belong, two months pay in advance for such serjeant and drum major; and so from time to time so long as any money on that account shall remain in his hands: which pay every such captain or officer commanding is hereby required to distribute to each person belonging to his company, by this act intituled to receive the same, as it shall become due; and the captain of each independant company is hereby required to distribute to each person belonging to his company intituled thereto, such money as he shall receive for pay of his company by virtue of this act; and such captain or officer commanding shall, once in every year, give in to the clerk of the regiment or battalion to which such company shall belong, or, if captain of an independant company, to the receiver general, on account of the several payments he shall have made in pursuance of this act, according to the following form:

down in the militia act of 2 Geo. 3.

A second payment is also to be made within 3 months after the first; and a third within three months after the second.

Receipts of the persons to whom the money shall be so paid discharge the receivers general.

The regimental and battalion clerks are to pay in advance one month's pay to the adjutant; and 2 months pay to each captain, for the serjeants and drummers; and for the serjeant major and drum major; to be paid to the commanding officer of the company to which they belong: captains to distribute the pay accordingly; and account for the same yearly to the clerk, or receiver-general if an independant company, according to the following form;

County of	Dr.	Per Contra	Cr.
To cash received of Mr. regimental or battalion clerk, or receiver general, as the case shall be, for two months pay in advance		Paid serjeant for days pay from the of to the of following	
		Ditto as serjeant major (if one in the company)	
		Paid serjeant for days pay from the of to the of following	
		Paid drummer days at six pence, from the of to the of following	
		Ditto as drum major (if one in the company)	
		Paid drummer days from the of to the of following	

and pay back the surplus monies in his hands.

The clerks are likewise to pay out of the sums allowed for contingent expences 1 d. per man for hospital charges ;

and the sums necessary for the repair of arms, and carriage thereof.

Residue to be applied for the benefit of the regiment, &c. as the field officers and captains shall direct.

Account of the said sums to be made up yearly, &c.

Money allowed for contingent expences of independant compa-

And shall pay back to the said clerk, or to the receiver general, as the case shall be, the surplus (if any) of the money by him from time to time received, and then remaining in his hands.

V. And be it enacted, That the clerk of each regiment or battalion of militia, out of the money hereby directed to be issued and paid to him for defraying the contingent expences of each regiment or battalion, shall yearly and every year, pay to the colonel or officer commanding such regiment or battalion, one penny a month for each private man and drummer, for defraying the hospital expences of each respective company of such regiment or battalion during the time of the mens being absent from home, upon account of their annual exercise ; and shall, from time to time, issue out and pay such sums of money as may be necessary for the repair of arms, and the carriage and removal thereof, upon an order in writing signed by the colonel or officer commanding such regiment or battalion ; and apply, dispose of, and pay, the residue of such money, for the general use and benefit of each such respective regiment or battalion, in such manner as the field officers and captains thereof, or the greater part of them, shall direct ; and shall yearly and every year make up an account of all such money, and the expenditure thereof, and deliver the same to the colonel or officer commanding such regiment or battalion, to be by him examined, allowed, and signed ; which account so allowed and signed shall be, and it is hereby directed to be, the proper voucher and acquittall of such clerk, for the application and disposal of such money.

VI. And be it enacted, That the money hereby directed to be issued for the contingent expences of each independant company of militia, shall be, in like manner, applied to the particular use of such respective independant company by the captain thereof ; and shall yearly, and every year, be in like manner account-

ed for to the receiver general of the land tax of the county or place to which such independant company shall belong; whose allowance of such account shall in like manner be the proper voucher for the expenditure and disposition thereof.

VII. And be it further enacted by the authority aforesaid, That the officer commanding every regiment, battalion, or independant company of militia, which shall be raised and trained pursuant to the laws now in force, shall, and they are hereby respectively required, from time to time, within thirty days after the exercising of every such regiment, battalion, or independant company shall be finished, pursuant to the direction of the laws now in being in that respect, transmit to the auditor of his Majesty's court of *Exchequer* a compleat return, signed by such officer commanding, of the several officers, non-commissioned officers, and private men, who were actually inrolled, and did serve in every such regiment, battalion, or independant company, at the time the same were so exercised as aforesaid, in like manner and form as is required to be made to one of his Majesty's principal secretaries of state.

Commanding officers, to transmit to the auditor of the exchequer

Returns of the officers and private men rolled, and serving at the annual exercise.

VIII. And be it enacted, That the said regimental or battalion clerk may and shall retain to his own use, out of the money so by him recovered, such further sums as shall complete the allowance herein before made for his salary.

Clerk to retain money in his hands for his own salary.

IX. And be it further enacted, That whenever his Majesty's lieutenant, or any three or more deputy lieutenants of any county, riding, or place, shall have fixed the days of exercise for the militia, he or they shall, as soon as may be, certify the same to the receiver general of such county, riding, or place, specifying the number of men, and the number of days such men are to be absent from home on account of such exercise; and such receiver general is hereby required, within fourteen days after the receipt of such certificate, to issue and pay to the clerk of the several regiments or battalions, at the rate of seven shillings and six pence *per* day for the captain of each company, and at the rate of three shillings and six pence *per* day for each lieutenant, and of three shillings *per* day for each ensign; and also at the rate of one shilling *per* day for each private militia man, with the addition of six pence *per* day for each corporal of the militia, so to be called out to exercise, for the number of days such officers and men shall be absent from home on account of such exercise; and in such counties where there shall be independant companies only, the receiver general of each such respective county shall issue and pay to the captains of the independant companies, at the rate of seven shillings and six pence *per* day for each captain, three shillings and six pence *per* day for each lieutenant, and three shillings *per* day for each ensign; and also at the rate of one shilling *per* day for each private militia man, with the addition of six pence *per* day for each corporal of the militia, so to be called out to exercise, for the number of days such officers and men shall be absent from home on account of such exercise; and the said regimental or battalion clerks are

When the ld. lieuts. or deputies shall have fixed the days of exercise, they are to certify the same to the receiver general, specifying the number of men, and days they shall be absent from home. Receiver general to issue thereupon pay for officers and men to the regimental clerk, &c.

Where there shall be independant companies only, the receiver general is to issue pay to the captains, according to the rate here set down.

Clerk to pay hereby required forthwith to pay to each captain of the said regiments or battalions the proportion of pay belonging to each captain, and likewise the pay belonging to their respective companies.

Captains to make up their account according to the following form ;

X. And be it further enacted, That the captain of each company shall make up an account of all monies received and paid by him on account of such exercise, according to the following form :

County of	Dr.	Per Contra	Cr.
To cash received of the regimental or battalion clerk, or receiver general, <i>as the case shall be,</i> for days pay of men	}	By my pay as captain Paid lieutenant Paid ensign Paid militia men days Paid additional pay to corporals days	}

to be signed by them, and countersigned by the commanding officer, and delivered, with the balance, to the clerk, or receiver general. Accounts allowed sufficient vouchers.

Which account shall be signed by the said captain, and countersigned by the commanding officer ; and such captain shall, within ten days after the time such exercise is finished, deliver such account, and pay the balance, if there be any due, to the regimental or battalion clerk ; or, if captain of an independant company, to the receiver general : and such accounts shall be allowed as sufficient vouchers in the passing of the accounts of such receiver general, at the receipt of his Majesty's exchequer.

XI. Provided always, and be it enacted, That where any regiment, battalion, or independant company of militia, is or shall be embodied, and called out into actual service, and thereby the officers and private militia men are or shall be intitled to the same pay as the officers and private men in his Majesty's other regiments of foot receive, all pay from the receiver or receivers general of the land tax for the county, riding, or place, to which such regiment, battalion, or independant company of militia shall belong, whether to the adjutants, serjeants, private militia men, or others ; and all money allowed as afore said for the contingent expences of such regiment, battalion, or independant company of militia ; and also the allowance to the clerk of such regiment or battalion ; shall, during such time of actual service, and until such regiment, battalion, or independant company, shall be disembodied, and return home, cease and not be paid.

Receivers general to pay the allowances to clerks of the general meetings, and to the clerks of the subdivision meetings, upon producing orders from

XII. And be it enacted, That the said receiver or receivers of the land tax shall pay to the clerk of the general meetings his allowance, at the rate of five pounds five shillings for each meeting, upon his producing an order or orders for that purpose from his Majesty's lieutenant, or from three deputy lieutenants assembled at some general meeting or meetings ; and shall also pay to each and every of the clerks of the subdivision meetings their several allowances, at the rate of one pound one shilling for each meeting, upon his or their producing an order or orders

ders from one or more deputy lieutenant or deputy lieutenants, assembled in the several subdivision meetings: which said order or orders shall be to the said receiver or receivers general of the land tax, a sufficient discharge for the payment of such allowances, and be allowed in his or their account.

XIII. Provided always, and be it enacted, That the clerk of each regiment or battalion of militia, shall give security to the receiver or receivers general of the land tax of the county, riding, or place, to which such regiment or battalion shall belong, by a bond to his Majesty in the penalty of one half of the sum required for the whole year's charge of the regiment or battalion of militia to which such clerk shall belong, for duly answering and paying such sums as he shall, from time to time, have received, and for duly accounting for the same, and for performance of the trust hereby in him reposed; which said bond shall be lodged in the hands of the receiver or receivers general of the land tax for the respective county, riding, or place, who, in case the said regimental or battalion clerk shall not duly perform the conditions comprized in the said bond, shall, and is hereby required forthwith to put the said bond in suit in the name of his Majesty, his heirs, and successors; the full costs and charges of which suit, in case judgement shall be given against such regimental or battalion clerk, shall be paid by him to the said receiver or receivers general of the land tax, who shall likewise be intitled to, and receive to his or their own use, at the rate of five pounds *per centum* out of all such monies as shall be by him or them recovered thereon; and shall account for the residue thereof with the proper auditor of his Majesty's revenue; the said receiver or receivers general of the land tax charging himself or themselves therewith, upon the next account of the land tax to be by him or them passed.

the lieutenant or deputy lieutenants.

Orders to discharge receivers general.

Regimental and battalion clerks to give security for paying and accounting for the monies received by them;

the bonds to be lodged with the receivers general, and put in suit by them on non-performance of the condition; and they are intitled thereupon to full costs and charges, and 5 l. per cent of the money recovered: the residue to be accounted for to the auditor.

XIV. And be it enacted, That the clerk of every regiment or battalion of militia, and the captain of every independant company of militia, in every county, riding, and place, within the part of *Great Britain* aforesaid, shall, between the twenty fifth day of *March* and the twenty fourth day of *June*, one thousand seven hundred and sixty nine, deliver to the receiver or receivers general of the land tax for the county, riding, or place, to which such regiment, battalion, or independant company shall belong, a fair account in writing, of all monies by him received and disbursed for the service of the preceding year, in pursuance of this act, with proper vouchers for the same; and shall pay back to the said receiver or receivers general of the land tax, any surplus of such monies that shall then be in his hands; which said accounts signed by such regimental or battalion clerk, or by such captain of an independant company respectively, shall be transmitted by the said receiver or receivers general of the land tax, into the office of the proper auditor of his Majesty's revenue.

The regimental and battalion clerks, and captains of independant companies, are to deliver in accounts of their receipts and disbursements,

and pay over the balance to the receivers general; who are to transmit the accounts into the auditor's office.

XV. Provided always, and be it enacted, That all penalties, all costs and charges of suit, and all sums of money, for which

Recovery of penalties, &c.

any person or persons is or are by this act made answerable, may and shall be recovered in any of his Majesty's courts of record at *Westminster*, by action of debt, bill, plaint, or information, wherein no essoin, wager at law, or protection, or more than one imparlance, shall be allowed.

No fee payable for any warrant or sum of money issued in pursuance of this act.

XVI. Provided always, and be it enacted, That no fee or gratuity whatsoever shall be given or paid for or upon account of any warrant or sum of money which shall be issued in relation to, or in pursuance of, this act.

Officers on half-pay serving in the militia, may receive the subsistence money payable to lieutenants or ensigns,

XVII. Provided always, and be it enacted, That any person being on half-pay, or being intitled to any allowance, as having served in any or either of the two troops of horse guards, or regiment of horse reduced, and serving in the militia, shall and may, and he is hereby impowered to receive and take the subsistence-money by this act directed to be paid to captains, lieutenants, or ensigns; and the receiving and taking such subsistence-money by any such captain, lieutenant, or ensign, shall not be deemed a receiving or taking pay, so as in any manner to prevent such person on half-pay, or being intitled to any such allowance, from receiving his half-pay, or such allowance; and such person shall take the following oath before some justice of the peace, who is hereby impowered to administer the same;

they taking the following oath before a justice.

The oath.

I A. B. do swear, *That I had not, between the any place or employment of profit, civil or military, under his Majesty, besides my allowance of half-pay as a reduced in late regiment of (or allowance as in late troop of horse guards, or regiment of horse reduced) save and except my subsistence as a lieutenant or ensign, as the case may be, for serving in the militia of the county of*

And the taking the said oath shall be sufficient to intitle such person to receive his half-pay, or the said allowance, without taking any other oath; any law, usage, or custom, to the contrary thereof notwithstanding.

Receiver general upon receiving a warrant from the commanding officer, certifying the receipt of the cloathing, and an order for payment, is to pay the same accordingly. If any regiment, &c. shall cease, 3s. per diem is to be paid to the

XVIII. And be further enacted by the authority aforesaid, That the receiver general of the land tax, so soon as he shall receive a warrant under the hand of the colonel or commanding officer of their respective regiments or battalions, certifying the receipt of the cloathing, and an order from the said colonel or commanding officer for the money due on account of the same, payable to the person or persons who furnished the said cloathing, shall pay the sum mentioned in such order to the person intitled to receive the same; and such warrant and order, together with the receipt of the person receiving the said money, shall be a sufficient discharge to such receiver general.

XIX. And be it further enacted by the authority aforesaid, That in case any regiment, battalion, or independent company, shall cease and determine, during the continuance of this act, the sum of three shillings *per diem* shall be paid to such person

ion as has actually served as adjutant to such regiment, batta-adjutant from
 lion, or independant company, from the time such regiment, such time to
 battalion, or independant company shall cease, to the twenty²⁵ March,
 fifth day of March, one thousand seven hundred and seventy. 1770.

C A P. XLI.

An act for better securing the duties of customs upon certain goods removed from the out ports and other places to London; for regulating the fees of the officers of his Majesty's customs in the province of Senegambia in Africa; for allowing to the receivers general of the duties on offices and employments in Scotland, a proper compensation for their trouble and expences; for the better preservation of bollies, thorns, and quicksets, in forests, chases, and private grounds, and of trees and underwoods in forests and chases; and for authorizing the exportation of a limited quantity of an inferior sort of barley, called Bigg, from the port of Kirkwall in the islands of Orkney.

WHEREAS by an act passed in the thirteenth and fourteenth years of the reign of King Charles the Second, intituled, An act for preventing frauds and regulating abuses in his Majesty's customs; and by several subsequent acts of parliament which are now in force, in order to prevent the clandestine importation and running of foreign goods, it is provided and enacted, that no goods, wares, and merchandizes, shall be removed in any ship or vessel by sea, from any one port, creek, or member, in this kingdom, to be landed at any other place of this realm, without a sufferance or warrant and other coast dispatc first had and obtained from the officers of his Majesty's customs; which regulations have been found useful and necessary checks against frauds in his Majesty's revenues: and whereas to defeat the good purposes intended by those acts of parliament, great quantities of foreign goods, which are liable to high duties upon the importation, are clandestinely run on shore at several of the out ports of this kingdom, and are afterwards removed from thence by land carriage into London, and other parts adjacent thereto, to the great prejudice of the public revenue and the fair trader: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of June, one thousand seven hundred and sixty nine, no foreign bast or straw, chip, cane, or horsehair hats or bonnets, exceeding in number one dozen; no foreign platting or other foreign manufacture of bast or straw, chip, cane, or horsehair, proper for making of hats thereof, exceeding in quantity one pound weight avoirdupois; no *succus liquoritiæ*, commonly called *Spanish juice*, of foreign produce or manufacture, exceeding in quantity twenty pounds weight; no foreign snuff, exceeding in quantity ten pounds weight; no *Nanquin* cloth, muslin, foreign callico, or foreign cloth, muslin,

Preamble, re-
 citing clause
 in act 13 &
 14 Car. 2.

No foreign
 bast or straw
 hats, &c. ex-
 ceeding one
 dozen;
 nor platting
 for making
 thereof, ex-
 ceeding 1 lb.
 nor Spanish
 juice exceed-
 ing 20 lb.
 nor snuff 10 lb.
 nor Nanquin
 cloth, muslin,

callico, or dimity, 1 piece; nor China earthen ware exceeding 12 pieces; may be removed from the out ports, &c. to London, or within 20 miles thereof, without a certificate of the duties being paid, or compounded for; or that the goods were condemned: the facts to be verified on oath; nor if imported or seized in London, and sent from thence for sale to any out port, may they be removed from thence to London without a certificate.

foreign dimity, exceeding in quantity one entire piece; and no *China* earthen ware, exceeding in number twelve pieces, if the same shall have been imported or seized at any out port in *Great Britain*, shall be brought, removed, or carried, either by land or by water, from any out port or other place whatsoever in *Great Britain*, into the port of *London*, or the members thereof, or to any place whatsoever within the distance of twenty miles from the *Royal Exchange* of *London*, without a certificate from the collector or other proper officer of his Majesty's customs, at the port or place where such goods were imported or seized, certifying that the duties payable upon the importation of such goods have been duly paid and satisfied, or that the said goods have been before compounded for or condemned; which facts shall be verified by the oath of the importer or proprietor thereof, referring to the times when, and the place where, such goods were entered, condemned, or compounded for; and if such goods shall have been imported or seized within the port of *London*, and sent from thence to any out port for sale, they shall not be removed as aforesaid from any out port into the port of *London*, or the members thereof, or to any place whatsoever within the distance of twenty miles from the *Royal Exchange* of *London*, without a certificate from the collector or other proper officer of his Majesty's customs, at or nearest to the port or place from whence such goods are intended to be removed, certifying that the owner or proprietor of such goods hath made oath before him that the said goods, and every part thereof, had been sent to such owner or proprietor from *London* for sale, in the lawful way of trade, referring to the time when, with the name and residence of the person from whom, such goods were sent; and that such owner or proprietor verily believed the duties payable upon the importation of such goods had been duly paid and satisfied, or that the said goods had been before compounded for or condemned; and the said respective certificates shall express the quantity and quality of the said goods, with the marks of the package thereof, to what places and to whom the same are consigned, and by what carriage the same are intended to be removed; and if the said goods are removed by land, the said certificate shall also express and limit the time for which the same shall continue in force.

The oaths and certificates to be administered and granted without fee.

If any of the said commodities shall be removed, or found removing, contrary to this act,

II. And it is hereby further enacted by the authority aforesaid, That the respective oaths and certificates herein before required shall be administered and granted by the collector or other proper officer of the customs in the manner before directed, without fee or reward: and if any such bast or straw, chip, cane, or horsehair hats or bonnets, platting or other manufacture of bast, straw, chip, cane, or horsehair, *succus liquoritæ*, snuff, *Nanquin* cloth, muslin, callico, dimity, or *China* earthen ware, shall be removed as aforesaid, or shall be found removing, from any such out port or place, in order or with an intent to be carried into the port of *London*, or any member thereof, or to any place whatsoever within the distance of twenty miles from the

the *Royal Exchange* of *London*, without such certificate; or if the same shall not agree in all respects therewith; the goods, together with the package thereof, shall be forfeited and lost, and shall and may be seized and prosecuted by any officer or officers of his Majesty's customs; and after condemnation disposed of and divided in such manner as the like goods may, for any other cause of forfeiture, be seized, prosecuted, disposed of, and divided, by any act or acts of parliament now in force.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That nothing herein before contained shall extend, or be construed to extend, to any bast or straw, chip, cane, or horsehair hats or bonnets, platting or other manufacture of bast, straw, chip, cane, or horsehair, *succus liquoritiæ*, snuff, *Nanquin* cloth, muslin, callico, dimity, or *China* earthen ware, which shall have been, *bona fide*, bought in a public and fair way of trade in the cities of *London* or *Westminster*, or liberties thereof; and which shall be removed or removing, by any person or persons, for his, her, or their own necessary use or wear, and shall not be intended to be sold or exposed to sale.

IV. And it is hereby further enacted by the authority aforesaid, That if such bast or straw, chip, cane, or horsehair hats or bonnets, platting or other manufacture of bast, straw, chip, cane, or horsehair, *succus liquoritiæ*, snuff, *Nanquin* cloth, muslin, callico, dimity, or *China* earthen ware, shall be seized or stopped, for being removed or for being found removing as aforesaid without such certificate, and any doubt or dispute shall arise whether such goods have or have not been removed, or are or are not removing, contrary to the true intent and meaning of this act, the proof thereof shall lie on the owner or claimer of such goods, and not upon the officer who shall seize or stop such goods.

V. And it is hereby further enacted by the authority aforesaid, That if any person or persons shall falsely make oath to any of the facts herein before required to be sworn, such person or persons shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and if any person or persons shall counterfeit, raise, or falsify, any certificate required or directed by this act, or shall knowingly or willingly make use of any certificate so counterfeited, raised, altered, or falsified, such person or persons shall, for every such offence, forfeit the sum of five hundred pounds; one moiety thereof to his Majesty, his heirs, and successors, and the other moiety to such person or persons who shall inform and sue for the same in any court of record at *Westminster*, wherein no es-
soin, protection, or wager of law, or more than one imparlance, shall be allowed.

VI. And, in order to prevent any disputes which may hereafter arise concerning such fees as the collector of his Majesty's customs, and other officers of the customs in the province of *Senegambia* in *Africa*, may be intitled to, for making entries or other business done by them in the execution of their employments, be it further enacted by the au-
thority

or shall not agree in all respects with the certificate; they are forfeited, &c.

But the before clauses are not to extend to such of the said goods as are bought in a public and fair way of trade in *London* or *Westminster*; and which shall be removing for private use, and not for sale.

In disputes where any such goods shall be seized, &c. for being removed or removing contrary to this act, the proof is to lie on the claimant.

Penalty of false swearing to any of the facts;

or of counterfeiting, raising, or falsifying any certificate.

Collector and other officers of Senegambia authorized to take the same fees as the like officers in Barbadoes.

Governor and commanding officer there to assist the said officers in the execution of their duty. Penalty of exacting greater fees.

Clauses in act
5 Geo. 3.

thority aforesaid, That until such time as the same shall be otherwise settled by authority of parliament, it shall and may be lawful to and for the said collector and other officers to demand and receive, take and enjoy, such fees as have been received by the like officers in the island of *Barbadoes* on or before the first day of *January*, one thousand seven hundred and sixty seven; provided that the fees so taken are not contrary to the express direction of any act of parliament made in *Great Britain*; and that the said officers in *Senegambia* shall, upon the refusal of payment of such fees, have and be intitled to the same remedy for the recovery thereof, as has been heretofore allowed to any collector or other officer of the customs in any of his Majesty's colonies or plantations; any law, bye-law, or other act of council or assembly, made in the said province of *Senegambia*, to the contrary notwithstanding; and, in all cases whatsoever, every governor or commanding officer in the said province is hereby directed to be aiding and assisting to the said officers in the due execution of their offices: and if any officer of his Majesty's customs of *Senegambia* shall exact, require, or receive, any other or greater fees than such as are herein allowed to be taken, he shall, for the first offence, forfeit the sum of fifty pounds; one moiety of which penalty shall be to his Majesty, his heirs, and successors, and the other moiety to the person or persons aggrieved thereby, who shall sue for the same in the proper court of *Senegambia*; and for the second offence he shall forfeit his place, and be for ever after incapable of executing any office or employment in the customs.

VII. *And whereas by an act made in the fifth year of the reign of his present Majesty, intituled, An act for granting to his Majesty a certain sum of money out of the sinking fund; for applying certain monies therein mentioned for the service of the year one thousand seven hundred and sixty five; for further appropriating the supplies granted in this session of parliament; for allowing to the receivers general of the duties on offices and employments in Scotland a reward for their trouble; and for allowing further time to such persons as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and sollicitors; it was recited, that by an act made in the thirty first year of the reign of his late majesty King George the Second, certain duties were laid upon offices and employments, and the monies thereby arising, in that part of Great Britain called Scotland, were directed to be paid at Edinburgh to such person or persons as the commissioners of the treasury, or the high treasurer of Great Britain for the time being, should constitute and appoint to be receiver general or receivers thereof for his Majesty's use; but no provision had been made, or authority given, for allowing any compensation, or granting any reward, to such receiver or receivers, for his or their trouble in the receiving the said monies, and in the paying and accounting for the same: and it was therefore enacted, That it should and might be lawful to and for such receiver or receivers to retain, out of the monies which had been and should be paid into his or their hands in pursuance*

fuance of the said act, such sum, as a compensation or reward for his or their trouble, as his Majesty, his heirs, and successors, should appoint, not exceeding three pence in the pound: and whereas the said allowance of three pence in the pound is little more than sufficient to defray the expence of an agent in London, to receive and negotiate the bills by which the monies arising from the aforesaid duty are remitted from Edinburgh, and to pay the same into the receipt of his Majesty's exchequer, and also to defray such other small contingent expences, as must necessarily attend the raising and collecting thereof; whereby the intention of the before recited act is frustrated, and the said receiver or receivers hath or have a very inadequate provision or reward for his or their own service in raising and collecting the said duties: be it therefore enacted by the authority aforesaid, That it shall and may be lawful to and for the receiver or receivers of the said duty to retain, out of the monies that have been and shall be paid into his or their hands in pursuance of the before mentioned act of the thirty first year of his late majesty King George the Second, over and above the allowance of three pence in the pound granted by the before recited act of the fifth year of his present Majesty, such farther sum as his Majesty, his heirs and successors, by his or their warrant or warrants, countersigned by the high treasurer, or any three or more of the commissioners of the treasury for the time being, shall appoint, not exceeding one hundred pounds per annum, as a compensation or reward for his or their trouble.

Additional allowance of 100*l.* per ann. made to the receiver general of the duties on offices and employments in Scotland.

VIII. *And whereas by an act made in the sixth year of his present Majesty's reign, intituled, An act for the better preservation of roots, shrubs, and plants, it was, amongst other things, enacted, That all and every person and persons who, from and after the twenty fourth day of June, one thousand seven hundred and sixty six, should go into the woods, underwoods, or wood grounds, of any of his Majesty's subjects, not being the lawful owner or owners thereof, and should there cut, lop, top or spoil, split down or damage, or otherwise destroy any kind of wood or underwood, poles, sticks of wood, green shrub, or young trees, or carry or convey away the same; or should have in his, her, or their custody, any kind of wood, underwood, poles, sticks of wood, green stubs, or young trees, and should not give a satisfactory account how he, she, or they, came by the same, and should be thereof convicted before any one or more of his Majesty's justices of the peace, on the oath of one or more credible witness or witnesses, should, for the first offence, forfeit and pay immediately on conviction, any sum not exceeding the sum of forty shillings, together with the charges previous to and attending such conviction, to be ascertained by the said justice or justices who should convict the offender or offenders; and if any person or persons should commit any of the offences aforesaid a second time, and should be thereof again convicted in manner aforesaid, he, she, or they should forfeit and pay any sum not exceeding the sum of five pounds, together with the charges previous to and attending such conviction, to be ascertained as aforesaid; and if any person or persons should commit any of the offences aforesaid a third time, that then, such person or persons, being duly convicted thereof*

according

according to law, should be deemed and adjudged an incorrigible rogue or rogues, and should be punished as such: and whereas great destruction hath of late been made of hollies, thorns, and quicksets, growing upon his Majesty's forests and chases within this kingdom, to the great prejudice of his Majesty's deer, and other game therein; and also of hollies, thorns, and quicksets, growing in the woods and wood grounds of his Majesty's subjects: for the better preventing such evil practices and abuses for the future, be it enacted by the authority aforesaid,

The recited clause, and all the penalties, &c. thereby inflicted, &c. are extended and applied to all his Majesty's forests and chases; and to persons destroying, or carrying away, any hollies, thorns, or quicksets, &c. and to persons having any such in their custody, for which they cannot satisfactorily account.

That from and after the first day of July, one thousand seven hundred and sixty nine, the said clause in the said act made in the sixth year of his present Majesty's reign, and all and every the penalties, forfeitures, and punishments, thereby inflicted, and all other provisions, clauses, matters, and things, relating thereto, shall extend, and be deemed, taken, and construed to extend, and shall be applied and put in execution, in relation to all his Majesty's forests and chases within this realm; and to all and every person or persons who shall, without legal right or authority, by night or day, cut down, destroy, take, carry, or convey away, any hollies, thorns, or quicksets, growing or being upon any of his Majesty's said forests or chases, or within the wood or wood grounds of any of his Majesty's subjects; or who shall have in his, her, or their, custody or possession any such hollies, thorns, or quicksets, and shall not give a satisfactory account how he, she, or they, came by the same, and shall be thereof convicted before any one or more of his Majesty's justices of the peace in the manner prescribed and directed by the said act; and such justice or justices is or are hereby authorized to administer oaths, and proceed in the like manner for the conviction and punishment of every offender in the premises, as fully and effectually to all intents and purposes as if the several provisions in the said act had been particularly repeated and applied to the offences herein before specified.

Conviction of offenders to be certified to the general quarter session.

IX. And be it further enacted by the authority aforesaid, That the conviction and convictions of all and every offender and offenders against this act, shall be certified by the justice or justices of the peace, before whom the same shall be made, to the next general quarter sessions of the peace, to be filed amongst the records of the said sessions; and that such conviction shall be fairly written on parchment or paper in the following form of words (as the case shall happen) or in any other form of words to the like effect; that is to say,

To wit. *BE it remembered, that on the*
of in the year *day* *Form of the*
upon the complaint of C. D. convicted before *A. B. was* *conviction.*
justices of the peace for *of the*
passed in the ninth year of the reign of his majesty King George the *in pursuance of an act*
Third, for *(as the case shall be).*
Given under *hand and seal the day and year above*
written.

Which said conviction shall be good and effectual in law to all intents and purposes; and shall not be quashed, set aside, or adjudged void or insufficient, for want of any form or words whatsoever, nor to be liable to be removed by *Certiorari* into his Majesty's court of *King's Bench*, but shall be deemed and taken to be final to all intents and purposes whatsoever.

X. And whereas a considerable quantity of that species of barley, Bigg not exceeding 5000 commonly called Bigg, of the growth of the islands of Orkney, is now quarters of the growth of the islands of Orkney, in the hands of the owners and occupiers of lands in the said islands, which from its inferior quality is altogether unfit for any household uses; and if not permitted to be exported to Portugal and other places for the feeding of mules and horses (the only use this species of grain is fit for) will be entirely lost to the owners; for remedy whereof, be it enacted by the authority aforesaid, That it shall be lawful for his Majesty, his heirs, and successors, by order or orders to be made in council for that purpose, under such limitations and restrictions as shall be expressed in such order or orders, to permit and authorize the exportation of any quantity or quantities of such barley or bigg, not exceeding five thousand quarters, of the growth of the islands of Orkney, from the port of *Kirkwall* to the kingdom of *Portugal*, or elsewhere; any law or statute to the contrary notwithstanding.

XI. Provided nevertheless, That no bounty or allowance whatsoever shall be granted or paid in respect of such barley or bigg to be exported as aforesaid.

C A P. XLII.

An act for explaining, amending, and continuing an act made in the second year of his present Majesty, intituled, An act to explain, amend, and reduce into one act of parliament, the several laws now in being, relating to the raising and training the militia within that part of *Great Britain* called *England*.

WHEREAS a well regulated militia is of the utmost importance to the internal defence of this country: and whereas the laws now in force for the training and regulating the militia, which are by experience found to be useful and beneficial, are near expiring: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act passed in the second year of his present Majesty's reign, intituled, *An act to explain, amend, and reduce into one act of parliament, the several laws now in being, relating* *Preamble.* *So much of the several acts of 2 Geo. 3.*

4 Geo. 3,

lating to the raising and training the militia within that part of Great Britain called England, or so much of the said act as is now in force, and not herein or hereby repealed; and also an act passed in the fourth year of the said reign, intituled, *An act to explain and amend an act passed in the second year of the reign of his present Majesty, intituled, An act to explain, amend, and reduce into one act of parliament, the several laws now in being, relating to the raising and training the militia within that part of Great*

5 Geo. 3,

Britain called England, or so much of the said act as is now in force, and not herein or hereby repealed; and also so much of an act passed in the fifth year of the reign of his present Majesty, intituled, An act for applying the money granted in this session of parliament, for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England for one year, beginning the twenty fifth day of March, one thousand seven hundred and sixty five; and for punishing militia men neglecting their duty,

and another
act of 5 Geo. 3,

as is now in force, and not herein or hereby repealed; and also so much of an act passed in the fifth year of the reign of his present Majesty, intituled, An act to explain, amend, and enforce, the several laws now in being, relating to the raising and training the militia within that part of Great Britain called England, as is now

6 Geo. 3.

in force, and not herein or hereby repealed; and also so much of an act passed in the sixth year of his Majesty's reign, intituled, An act for applying the money granted in this session of parliament, for defraying the charge of the pay and cloathing of the militia of that part of Great Britain called England, for one year, beginning the twenty fifth day of March, one thousand seven hundred and sixty six; and for explaining, amending, and rendering more effectual several acts of parliament passed in the second, fourth, and fifth years of the reign of his present Majesty, relating to the raising and training the militia within that part of Great Britain called England, as is now

7 Geo. 3,

in force, and not herein or hereby repealed; and also so much of an act made the seventh year of the reign of his present Majesty, intituled, An act for giving further time to his Majesty's lieutenants, deputy lieutenants, justices, and clerks of the peace, and others, for carrying into execution certain parts of an act passed in the last session, for pay and cloathing of the militia; and for indemnifying such lieutenants and clerks of the peace, and others, who have neglected to carry such parts of the said act into execution, as may be now in force, and also so much of one other act, passed in the seventh year of the said reign, intituled, An act for defraying the charge of the pay and cloathing of the militia in that part of Great Britain called England, for one year, beginning the twenty fifth day of March, one thousand seven hundred and sixty seven; for the more effectual punishing serjeants, drummers, and fifiers, for misbehaviour and desertion, and for securing deserters from the militia regiments; and for explaining and amending so much of an act passed in the last session of parliament as relates to the inlisting militia men into his Majesty's other forces, as is now in force, and not herein and hereby repealed, (all which acts, or parts or clauses

and another
of 7 Geo. 3.
as are now re-
spectively in
force, and
not hereby
repealed,

are made per-
petual.

of acts, are now near expiring) shall be and are hereby made perpetual.

II. And

II. *And whereas the qualifications of deputy lieutenants and officers serving in the militia, directed and required in and by the act of the second year of his present Majesty's reign, hath been found inconvenient and detrimental to the service, by rendering it difficult to obtain a sufficient number of deputy lieutenants to act in the execution of the laws relating to the militia, and of subaltern officers to the several corps of militia now raised: and whereas it would be of great advantage to that service, if the qualifications required by the said act for deputy lieutenants and subaltern officers were lessened, and the qualifications required for the superior officers were increased, so as thereby to give to the publick, on the whole, a greater security; be it therefore enacted, That so much of the said act of the second year of his present Majesty's reign, as requires and directs the qualification of deputy lieutenants and officers serving in the militia, and the register of such qualifications, and the several matters and things relating thereto, shall be, and the same is hereby declared to be, repealed.*

Repeal of so much of act 2 Geo. 3. as respects the qualification of dep. lieutenants and officers, and the register of their qualifications.

Qualification, upon the present establishment, of a dep. lieutenant.

Colonel,

Lieutenant colonel,

Major, or captain,

Lieutenant,

III. *And be it further enacted, That from and after the passing of this act, each person so to be appointed a deputy lieutenant, shall be seised or possessed, either in law or equity, for his own use and benefit, in possession of a freehold, copyhold, or customary estate, for life, or for some greater estate, or of an estate for some long term of years, determinable in one or more life or lives, in manors, messuages, lands, tenements, or hereditaments, in England, Wales, or the town of Berwick upon Tweed, of the yearly value of two hundred pounds; or shall be heir apparent of some person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of four hundred pounds: and each person so to be appointed a colonel, shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of one thousand pounds; or shall be heir apparent to some person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of two thousand pounds: and each person so to be appointed a lieutenant colonel, shall be, in like manner, seised of a like estate, as aforesaid, of the yearly value of six hundred pounds; or shall be heir apparent of some person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of one thousand two hundred pounds: and each person so to be appointed a major, or a captain, shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of two hundred pounds; or shall be heir apparent of some person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of four hundred pounds; or shall be a younger son of some person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of six hundred pounds: and that each person so to be appointed lieutenant, shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of fifty pounds; or shall be possessed of a personal estate alone to the amount*

and ensign :

One moiety of the estates required as qualifications to be situate or arising within the county.

Qualifications equivalent to an estate of 100 l. per ann. and so in proportion.

Other equivalent qualifications for deputy lieutenants and officers.

Number of deputy lieutenants, according to the new establishment, for

amount of one thousand pounds, or seised or possessed of real and personal estate together to the amount or value of two thousand pounds; or shall be son of some person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of one hundred pounds; or who shall be, or who, at the time of his death, was, possessed of a personal estate alone to the amount of two thousand pounds, or seised or possessed of real and personal estate together to the amount or value of three thousand pounds: and that each person so to be appointed an ensign, shall be, in like manner, seised or possessed of a like estate as aforesaid, of the yearly value of twenty pounds; or shall be possessed of a personal estate alone to the amount of five hundred pounds, or seised or possessed of real and personal estate together to the amount or value of one thousand pounds; or shall be son of some person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of fifty pounds; or who shall be, or who, at the time of his death, was, possessed of a personal estate alone to the amount of one thousand pounds, or seised or possessed of real and personal estate together, to the amount or value of one thousand five hundred pounds: one moiety of which said estates, required as qualifications for each deputy lieutenant, colonel, lieutenant colonel, major, or captain respectively, shall be situate or arising within such respective county, riding, or division, in which he shall be appointed to serve.

IV. Provided always, and be it enacted, That, for the purposes of the respective qualifications required by this act, the immediate reversion or remainder of and in manors, messuages, lands, tenements, or hereditaments, which are leased for one life, or for two or three lives, or for any term of years determinable upon the death of one life, or of two or three lives, on reserved rents, and which are, to the lessee or lessees, of the clear yearly value of three hundred pounds, shall be deemed equal to an estate herein before described as a qualification of the yearly value of one hundred pounds, and so in proportion, be the said qualification of a greater or less degree.

V. And be it enacted, That a person possessed, either in law or equity, for his own use and benefit, in possession of an estate for a certain term, originally granted for twenty years, or more, of an annual value, over and above all rents and charges payable out of, or in respect of, the same, equal to the value of such an estate as is required for the qualification of a deputy lieutenant and commission officer of the militia respectively, and situate as aforesaid, shall be, and is hereby deemed and declared to be, duly and sufficiently qualified to act and serve under such respective commission.

VI. And be it enacted, That in the several counties of *Cumberland, Huntingdon, Monmouth, Westmorland, and Rutland*, and of every county and place in the dominion of *Wales* respectively, there shall be five or more deputy lieutenants appointed (if so

many

many persons qualified as herein after expressed can be therein found) and the estates requisite for the qualification of the respective deputy lieutenants and officers of the militia therein, shall be as follows; that is to say, a deputy lieutenant shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of one hundred and fifty pounds; or shall be heir apparent to a person, who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of three hundred pounds: a colonel shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of six hundred pounds; or shall be heir apparent of a person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of one thousand two hundred pounds: a lieutenant colonel, or major commandant, shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of four hundred pounds; or shall be heir apparent of a person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of eight hundred pounds: a major or captain shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of one hundred and fifty pounds; or shall be son of a person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of three hundred pounds: a lieutenant shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of thirty pounds; or who shall be possessed of a personal estate alone, to the amount of six hundred pounds; or seised or possessed of real and personal estate together, to the amount or value of one thousand two hundred pounds; or shall be the son of a person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of sixty pounds; or who shall be, or who, at the time of his death, was, possessed of a personal estate alone, to the amount of one thousand two hundred pounds; or seised or possessed of real and personal estate together, to the amount or value of two thousand four hundred pounds: an ensign shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of twenty pounds; or who shall be possessed of a personal estate alone, to the amount of three hundred pounds; or seised or possessed of real and personal estate together, to the amount or value of six hundred pounds; or shall be the son of a person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate as aforesaid, of the yearly value of thirty pounds; or who shall be, or who, at the time of his death, was, possessed of a personal estate alone, to the amount of six hundred pounds; or seised or possessed of real and personal estate together, to the amount or value of one thousand two hundred pounds: one half of all which respective estates (except those for the qualifications of lieutenants and ensigns) shall be situate or arising within such respective county or riding in which such officers shall be respectively appointed to serve.

the counties of Cumberland, Huntingdon, Monmouth, Westmorland, Rutland, and Wales; Qualification of a dep. lieutenant for those counties, of a colonel,

Lieutenant colonel.

Major, or captain,

Lieutenant,

and ensign:

A moiety of their qualifications to be situate in or arising within their respective counties.

Where 20 persons qualified and willing to act as dep. lieutenants can't be found,

the deficiency is to be made up of persons of an inferior qualification.

Qualification requisite for the isle of Ely and Cambridge, viz. for a dep. lieutenant,

Captain,

Lieutenant,

and ensign :

A moiety of the qualifications (except of lieutenants and ensigns) to be situate in Ely or Cambridge.

Number of deputy lieutenants for such cities and towns as are

VII. Provided always, That in such counties where twenty persons cannot be found qualified as aforesaid, and willing to act as deputy lieutenants, it may and shall be lawful for his Majesty's lieutenant of any such county, and he is hereby required, after having appointed so many persons as can be found qualified as aforesaid, to appoint such number of persons to be deputy lieutenants as shall be requisite to make up the number twenty, who shall respectively be seised or possessed of a like estate of the yearly value of one hundred pounds, and situate as aforesaid ; and every such person shall be, and is hereby deemed and declared to be, duly and sufficiently qualified to act and serve under such respective commissions.

VIII. And be it enacted, That the estates requisite for the qualification of the deputy lieutenants and officers of the militia in the isle of *Ely*, in the county of *Cambridge*, shall be as follows ; a deputy lieutenant shall be seised or possessed of a like estate, as aforesaid, of the yearly value of one hundred and fifty pounds ; or shall be heir apparent of some person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of three hundred pounds : a captain shall be, in like manner, seised or possessed of a like estate as aforesaid, of the yearly value of one hundred pounds ; or shall be heir apparent of a person who shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of two hundred pounds ; or shall be a younger son of some person who shall be, or, at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of three hundred pounds : a lieutenant shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of thirty pounds ; or shall be possessed of a personal estate to the amount of six hundred pounds ; or shall be son of some person who shall be, or, at the time or his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of sixty pounds ; or who shall be, or, at the time of his death, was, possessed of a personal estate to the amount of one thousand two hundred pounds : an ensign shall be, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of twenty pounds ; or shall be possessed of a personal estate to the amount of three hundred pounds ; or shall be the son of some person who shall be, or, or at the time of his death, was, in like manner, seised or possessed of a like estate, as aforesaid, of the yearly value of thirty pounds ; or who shall be, or, at the time of his death, was, possessed of a personal estate to the amount of six hundred pounds : one half of all which estates (except those for the qualifications of lieutenants and ensigns) shall be situate or arising within the said isle of *Ely*, or some other part of the county of *Cambridge*.

IX. And be it enacted, That in all cities or towns which are counties within themselves, and have heretofore been empowered, by law or ancient usage, to raise and train a separate militia within their several precincts and liberties, and which are united

united with, and made part of, any county or counties for the purposes of raising the militia only; his Majesty's lieutenant of such cities or towns, or, where there is no lieutenant appointed by his Majesty, the chief magistrate of such city or town, shall appoint five or more deputy lieutenants (if so many persons qualified as is hereinafter expressed can therein be found) and shall also appoint officers of the militia, whose number and rank shall be proportionable to the number of militia men which such city or town shall raise as their *quota*, towards the militia of the county to which such city or town is united for the purposes aforesaid; the qualification of which officers respectively shall be as is hereinafter mentioned; and all powers and provisions made by this act, with respect to counties at large, and the militia thereof, and the registering the qualifications of deputy lieutenants and officers, shall take place and be in force with respect to the said cities and towns, and the militia thereof, and the registering the said qualifications: and the value of the respective qualifications of the deputy lieutenants and officers of the militia of such cities or towns shall be as follows; every deputy lieutenant shall be seised or possessed of a like estate, as aforesaid, of the yearly value of one hundred and fifty pounds; or shall be possessed of a personal estate alone, or seised or possessed of real and personal estate together, to the amount or value of three thousand pounds: and every field officer shall respectively be seised or possessed of a like estate, as aforesaid, of the yearly value of three hundred pounds; or shall be possessed of a personal estate alone, or seised or possessed of real and personal estate together, to the amount or value of five thousand pounds: and the qualification of a captain shall be a like estate, as aforesaid, of the yearly value of one hundred and fifty pounds, in manors, messuages, lands, tenements, or hereditaments, or personal estate alone, or seised or possessed of real and personal estate together, to the amount or value of two thousand five hundred pounds: and the qualification of a lieutenant shall be a like estate, as aforesaid, of the yearly value of thirty pounds, in manors, messuages, lands, tenements, or hereditaments, or personal estate alone, to the amount or value of seven hundred and fifty pounds: and the qualification of an ensign shall be a like estate, as aforesaid, of the yearly value of twenty pounds, in manors, messuages, lands, tenements, or hereditaments, or personal estate alone, to the amount or value of four hundred pounds: one half of all which real estates respectively (except those for the qualification of lieutenant and ensigns) shall be situate or arising within such city or town, or within the county at large to which such city or town is united for the purposes aforesaid.

X. And be it further enacted, That nothing herein contained in respect to the qualification of lieutenants and ensigns of the militia shall extend, or be construed to extend, to such person as shall be appointed an adjutant of any regiment or battalion of militia, and shall also be appointed a lieutenant or ensign in such regiment or battalion; but that it shall and may be lawful

Powers and provisions of this act, with respect to counties at large, and the militia thereof, &c. extended to the said cities and towns;

Qualification of the deputy lieutenants thereof,

and of the field officers,

Captains, Lieutenants, and ensigns: A moiety of their qualifications (except of lieutenants and ensigns) to be situated in such cities or towns, or the county at large.

Adjutants though appointed lieutenants or ensigns, are excepted out of the general qualification.

ful for his Majesty's lieutenant, in and for any county or place, to give to such person appointed an adjutant, a commission of a lieutenant, or an ensign, although such person hath not the qualification for such commission as is herein directed and required.

The present qualifications not to extend to officers now actually serving in the militia;

XI. Provided always, and be it enacted, That the several qualifications herein above directed, shall not extend, or be construed to extend, to any person who is now actually serving as an officer in the militia of this kingdom; but that every such person, being duly qualified, as in and by the former laws relating to the militia is directed and required, shall and may continue to serve in the militia of this kingdom, in such rank only in which he now serves, although not qualified as herein before is directed.

nor to deputy lieutenants and officers commissioned by the constable of the tower, or lieutenant of the towerhamlets

XII. And be it enacted, That the qualifications above directed to enable any person to be a deputy lieutenant colonel, lieutenant colonel, major, captain, or lieutenant, shall not extend to such commissions as shall be granted by his Majesty's constable of the tower, or lieutenant of the towerhamlets.

Persons who have not delivered in their qualifications pursuant to former acts, are disqualified from acting till they comply.

XIII. And be it enacted, That no deputy lieutenant, or commission officer in the militia, who shall not have delivered in a qualification as required by any of the former acts relating to the militia, shall act as such, until he shall have left with the clerk of the peace of the county, riding, division, or place, in and for which he shall be so appointed, his qualifications, in writing, signed by himself; and such clerk of the peace is hereby required to enter the same upon a roll to be kept for that purpose; and shall, in the month of *January* in every year, transmit to one of his Majesty's principal secretaries of state, a compleat account of the qualifications so left, or to be left, with him; and the said secretaries of state, receiving such accounts, shall cause copies thereof to be annually laid before both houses of parliament: and every deputy lieutenant and commission officer, not having already taken and subscribed the oaths, and made, repeated, and subscribed, the declaration as required by the former acts relating to the militia, shall, at some general quarter sessions, or in one of his Majesty's courts of record at *Westminster*, within six months after he shall have accepted his commission, take the oaths in and by an act passed in the first year of the reign of his majesty King George the First, intituled, *An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia being protestants*; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors; and also the oath in and by an act passed in the sixth year of the reign of his present Majesty, intituled, *An act for altering the oath of abjuration and the assurance, and for amending so much of an act of the seventh year of her late Majesty Queen Anne, intituled, An act for the improvement and the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lists or copies therein mentioned to persons indicted of high treason or misprision of treason,*

Copies to be laid before parliament. Time limited for dep. lieutenants and officers, who have omitted it, to take the oaths, &c.

Act 1 Geo. 1. and 6 Geo. 3.

appoint-

appointed to be taken; and shall also make, repeat, and subscribe, the declaration, in the said act of the first of King *George* the First, directed to be made, repeated, and subscribed, by all officers civil and military.

XIV. And be it enacted, That if any person shall execute any of the powers hereby conferred on deputy lieutenants, colonels, lieutenant colonels, or majors, not being qualified as aforesaid; or shall not deliver in such qualification; and take the oaths, and make, repeat, and subscribe, the declaration aforesaid, as is herein before required; every such person shall forfeit and pay the sum of two hundred pounds: and if any of the persons shall execute any of the powers hereby conferred on captains, lieutenants, or ensigns, (not being qualified as aforesaid) and shall not deliver in such qualification, and take the oaths, and make, repeat, and subscribe, the declaration aforesaid, as is herein before required, every such person shall forfeit and pay the sum of one hundred pounds; such several penalties to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, wherein no essoin, wager of law, or protection, or more than one imparlance, shall be allowed; one moiety whereof shall go to the use of the person who shall sue for the same, and the other moiety to the uses herein after directed.

200l. penalty on d. lieuts. cols. 1. cols. or majors acting, not being qualified; or not delivering in their qualification; or not taking the oaths. &c. and 100l. on captains, lieuts. and ensigns; to be recovered by action of debt, &c.

XV. And be it enacted, That in every action, suit, or information, brought against any person for acting as deputy lieutenant, colonel, lieutenant colonel, major, captain, lieutenant, or ensign, not being qualified as herein before is directed, the proof of his qualification shall lie upon the person against whom the same is brought.

Proof of qualification to lie on the person sued.

XVI. Provided always, and be it enacted, That nothing in this act contained shall extend, or be construed to extend, to restrain his Majesty's lieutenant of any county, riding, division, or place, from appointing any peer of this realm, or heir apparent of any such peer, to be a deputy lieutenant, or a commission officer in the militia, within the county, riding, division, or place, wherein such peer, or heir apparent of such peer, shall respectively have some place of residence; or to oblige any peer of this realm, or heir apparent of such peer (so appointed a deputy lieutenant or commission officer respectively) to leave with the clerk of the peace for the county, riding, division, or place, for which he shall be appointed, any qualification in writing as aforesaid; but it shall be lawful for every peer of this realm, or heir apparent of such peer, so appointed, and taking the oaths, and making, repeating, and subscribing the declaration aforesaid, to act as a deputy lieutenant or commission officer respectively, although he shall not be seised or possessed of any such estate in manors, messuages, lands, tenements, or hereditaments, as is required by this act.

Peers, or heirs apparent of peers, capable of being appointed d. lieuts. or officers, without delivering their qualification;

only taking the oaths, &c

XVII. And whereas by an act made in the second year of his present Majesty's reign, intituled, An act to explain, amend, and reduce into one act of parliament, the several laws now in being,

Recital of clauses in act a Geo. 3. and other acts.

relating to the raising and training the militia within that part of Great Britain called England, it is enacted, That in all counties and places where the militia shall not have been raised in pursuance of the former act relating thereto, and where it should not be raised in pursuance of the said act, the sum of five pounds should be annually paid in lieu of every private man to be raised within the same; and that the justices of the peace, at the general quarter sessions, should rate and assess on such county or place the said sum of five pounds per man, and levy and collect the same in the same manner, in all respects, as the county rates are, by an act of the twelfth year of the reign of his late majesty King George the Second, or any other act or acts of parliament, to be raised, assessed, collected, levied, paid, and accounted for; and that the said rates and sums so raised, collected, and levied, should be paid by the treasurer of such county to the receiver general thereof, whose receipt should be a sufficient discharge for such payment: and whereas by several other acts relating to the militia, passed in the fourth, fifth, and sixth years of his present Majesty's reign, divers provisions are made, and powers and directions are given, for raising the said sum of five pounds per man, within all such counties and places wherein the militia had not been raised, or should not be raised, and for enforcing the payment thereof: and whereas, notwithstanding the directions contained in the said several acts, several of the counties within that part of Great Britain called England have neither raised any militia, nor paid the said five pounds per man per annum, according to the directions of the said several acts; whereby they avoid contributing to the support of government with such counties as have raised and trained the militia in compliance with the directions of the said act: and whereas it is just and reasonable, that all his Majesty's subjects should contribute equally to the support of his Majesty's government, and the defence of these kingdoms: be it therefore enacted by the authority aforesaid, That so much of the said several in part recited acts as relates to the raising of the said sum and sums of five pounds per man, within all such counties and places wherein the militia hath not been raised, or should not be raised, and to the enforcing the payment thereof, shall be, and the same is hereby declared to be, repealed.

Repeal of so much of the recited acts as relates to the raising 5 l. per man, where the militia has not been raised, &c.

Where the militia has been, or shall be raised, a yearly return thereof is to be certified by the lieut. &c. to the clerk of the peace;

which is to be delivered by him to the next general

XVIII. And be it enacted, That his Majesty's lieutenant, or three deputy lieutenants, for every county or place within that part of Great Britain called England, where the militia has been or shall be raised, shall yearly, and every year, on or before the twenty fifth day of December, certify to the clerk of the peace of every county or place respectively, that the militia of such county or place hath been raised, and when, and at what time, the same was first raised, the names, number, and rank of officers, and the number of private men of the militia in the year when such certificate is made, and the respective times of such militia been trained and exercised in the year in which such certificate is made; which certificate shall, by the clerk of the peace who shall receive the same, be delivered to the justices of the peace at their general quarter sessions to be held

held next after the twenty fifth day of *December* in every year, on the day on which such sessions shall be opened, and shall file the same amongst the records of such sessions, so that the true state of the militia in each county may appear.

quarter sessions, to be filed amongst the records:

XIX. Provided always, and be it enacted, That in every county and place, wherein no such certificate from his Majesty's lieutenant, or three deputy lieutenants, shall be delivered to the clerk of the peace, as aforesaid, that the clerk of the peace of every such county or place shall, and is hereby required, at the general quarter sessions of the peace to be held next after the twenty fifth day of *December* in every year, to certify under his hand and seal, to the justices of the peace so assembled at their said general quarter sessions, on the day such sessions shall be opened, that he hath not received from his Majesty's lieutenant of the said county or place, or any three deputy lieutenants thereof, any such certificate as is herein before directed to be by them made; and such clerk of the peace is hereby directed to file such certificate amongst the records of such sessions.

But where no such return is made, the clerk of the peace is to certify such omission accordingly,

and file the same.

XX. And be it enacted, That in all counties and places, where the militia shall not be raised, the sum of five pounds shall be annually paid, for and in lieu of every private militia man directed to be raised within the same; and that in every county and place where no such certificate shall be made by his Majesty's lieutenant, or three deputy lieutenants, in manner herein before directed, and the same shall be certified by the clerk of the peace as aforesaid, the justices of the peace of every such county or place shall and they are hereby required, at their said general quarter sessions of the peace to be held next after the twenty fifth day of *December* in every year, to rate and assess the sum of five pounds *per* man upon such county or place, in such and the same manner, and according to such and the same proportions upon every town, parish, and place, within each respective county and place, and to be levied, collected, received, and paid, and to be accounted for in such manner, and by such means, with such powers of distress, and other remedies for enforcing the collection and payment thereof, and for punishing all persons whose duty it shall be to collect or account for the same, and shall make default therein, as the county rates have been usually, or may, by an act made in the twelfth year of the reign of his late Majesty, intituled, *An act for the easy assessing, collecting, and levying, of county rates*, or by any other act or acts of parliament, be assessed, collected, received, levied, paid, and accounted for, within the said county,

Where the militia shall not be raised, 5 l. per man is to be annually paid in lieu thereof; and so where no certificate is returned, the quarter sessions are to rate the county or place accordingly.

Power of levying, &c. the same.

XXI. Provided always, That every person, being duly qualified according to the directions of this act, who shall have served as an officer in any corps of militia raised within the kingdom for the space of four years; or who shall be actually serving as an officer in any corps of militia; or who shall offer himself, by writing under his hand, in manner as in and by the said in part recited act of the second year of his present Majesty is directed and required, to serve as an officer in the militia of any county,

Officers who have served 4 years; or who shall be actually serving; or shall offer to serve;

are exempted from paying towards the said rate, or being charged thereto.

Allowance to be made accordingly in the rates for such persons.

But persons claiming such exemption, are to file proper certificates with the clerk of the peace, and deliver in a roll of their tenants and farmers, which is to be filed; and on making the rates, the names of the said persons are to be certified to the treasurer and high constable,

who are to transmit the certificate and roll to the petty constable,

that they may be exempted accordingly.

Certificates of service to be delivered to officers, in or

county, riding, or place, where the militia hath not been raised, or shall not be raised, and shall be ready and willing to serve when required in any rank for which he is duly qualified, shall not be liable to pay any part or share of such rate or assessment, for raising the sum of five pounds *per* man, herein above directed to be raised; nor shall such person, or any of his lands, tenements, and hereditaments, wheresoever situated, be assessed or charged thereto; and the deficiency thereby occasioned, in raising the whole amount of such sum or sums of five pounds *per* man on such county, riding, or place, as is hereby directed and required to be raised, shall, in such case, be allowed to such county, riding, or place, by deducting the amount of the sums which otherwise would have been charged and assessed on such person or persons having served, or serving or offering to serve, as aforesaid, or on his or their lands, tenements, or hereditaments, from the gross amount of the sum or sums of five pounds *per* man herein before directed to be raised on such county, riding, or place, which shall not have raised the militia, or which shall not continue to raise the militia, pursuant to the acts in this case made and provided.

XXII. Provided always, and be it enacted, That every person who shall claim to have the benefit of such exemption from such rate and assessment, as aforesaid, shall file a certificate, as herein after is mentioned, of such service, or of his having offered to serve, as the case may be, with the clerk of the peace for the county or place wherein such person shall claim to have such exemption; and shall also deliver in to such clerk of the peace, from time to time as may be necessary, a roll or list, signed by such person claiming such exemption, of his tenants and farmers, and the places of their abode; which certificate, and roll or list, every such clerk of the peace shall, and he is hereby required forthwith to file amongst the records of session; and whenever any rate or assessment is or shall be ordered to be raised, levied, or collected, within any county or place for the purposes of raising the sum of five pounds *per* man, as by this act is directed, such clerk of the peace shall, and is hereby required to certify to the treasurer or treasurers, and high constables, of every such county or place, the names of all such persons who shall have so filed such certificates, and claimed such exemption, and the names of their tenants and farmers so inserted in such roll or list; and such treasurer or treasurers, and high constables, is and are hereby required to transmit such certificate, and roll or list, to the petty constable of each township or place wherein the lands, tenements, or hereditaments, of such person claiming to be exempted, are situate and lay; in order that such person or persons as are intitled thereto, and his and their lands, tenements, and hereditaments, shall not be assessed or charged to such rate or assessment.

XXIII. And be it enacted, That every lieutenant of any county or place shall and he is hereby required to give, without delay, unto every person who shall have served as an officer in the

the militia for the term of four years, or who shall be actually serving as an officer in any corps of militia, and who shall request the same, a certificate thereof, as the case may be, and as many certificates as such person may desire, in order to exempt him and his lands, tenements, and hereditaments, as aforesaid; and every such lieutenant, or every justice of the peace, chief magistrate, and other person or persons, to whom any person or persons so qualified, as aforesaid, shall offer, as aforesaid, to serve as an officer in the militia, shall, and he and they are hereby required to give, without delay, in like manner, a certificate thereof, or as many certificates thereof as shall be requisite for the purposes aforesaid.

der to their exemption,

and also to those qualified and offering to serve.

XXIV. Provided also, That the rates or assessments which shall be made in pursuance of this act, shall be made, assessed, levied, collected, received, and paid, separately and distinctly from all the other rates assessed and raised upon and within the said county; any thing in the said act made in the twelfth year of his late Majesty's reign, or any other act or acts of parliament, or any custom or usage to the contrary notwithstanding.

The rates to be raised separately from all other county rates.

XXV. And be it further enacted by the authority aforesaid, That the several and respective parochial officers, or other persons, who shall pay, or be liable to pay, the rates or assessments which shall be made and rated for the purposes of this act, upon any parish, town, and place, and also all such parochial officers and persons, upon whom any such rate or assessment shall be levied, shall and may, from time to time, after notice shall be given of the amount of the rate or assessment upon such town, parish, or place, either before the payment thereof by such parochial officers or persons, or after the same shall have been actually paid by, or levied upon, such officers or persons, rate and levy such monies by a separate and distinct rate and assessment upon every such respective town, parish, or place, in such manner and proportion, and with such powers for recovery thereof, as any other county rate may be assessed or levied; and that every tenant or occupier of any house, land, tythe, tenement, or hereditament, who shall pay any rate or assessment to be made in pursuance of this act by such respective parochial officers or persons, within any such towns, parishes, or places, upon whom any such rate or assessment shall be levied, shall and may deduct the same out of his or her rent, and shall be acquitted and discharged for so much money as such rates or assessments shall, from time to time, amount unto, as fully and effectually, as if such money had been actually paid to the person or persons to whom such rent is or shall be payable; and such person or persons is and are hereby required to allow, from time to time, such deductions, upon receipt of the residue of the rent.

How the parochial rates made on this occasion are to be levied, &c.

Tenants paying thereto, may deduct the same out of their rents;

XXVI. Provided always, That nothing herein before contained shall vacate any covenant or agreement between landlord and tenant; and that no landlord of any estate which shall not be let at a rack rent, shall be obliged or compellable to allow

except where there is a covenant to the contrary, or where the lands are not

let at rack
rent.

The penalty
of 5 l. per
man, for not
raising the
apportion-
ment of the
militia direct-
ed for any
county with
those of any
city or town
being a coun-
ty of itself,
is to be paid
according to
their respec-
tive *quota's* to
the land tax;
unless where
the militia
shall have
been raised in
the one place,
and not in the
other;

and so with
respect to
counties, and
such cities,
towns, and
places, as are
not rateable
to the county
rate,
the penalty is
to be appor-
tioned be-
tween them in
like manner;

and to be
raised by a se-
parate rate,
as the poor's
rate;

low to any tenant any money which he or she shall pay to-
ward any rate which shall be made in pursuance of this act.

XXVII. Provided always, and be it enacted, That in all
cases where a certain number of private militia men are directed
to be raised for any county together with any city or town being
a county of itself, and the militia has not been, or shall not be
raised for such county, and city or town; the payment of the
said sum of five pounds *per man*, upon the whole number of
private militia men so directed to be raised as aforesaid, shall be
divided and apportioned between such county and such city or
town being a county of itself, in such proportion as the respec-
tive *quota's* paid to the land tax by the said county, and by the
said city and town being a county of itself, bear to each other;
unless the apportionment of the said number of private militia
men shall actually have been made in pursuance of the lists di-
rected to be returned by the said former acts, or by this pre-
sent act; in which case the said sum of five pounds *per man*
shall be borne by such county, and by such city or town being
a county of itself, in such proportion as the respective number
of men so apportioned to be raised by such county, and by such
city or town, bear to each other.

XXVIII. And whereas there are several cities, towns, and
places, in many counties and ridings, which do not contribute to the
payment of the said rate called *The County Rate*; by reason where-
of doubts may arise, whether such cities, towns, and places, can be
legally rated or assessed towards the payment of the said sum and sums
of five pounds *per man*, in pursuance of the directions of this act:
and whereas it is just and reasonable that all such cities, towns, and
places, should bear an equal share and proportion of five pounds *per man*
with each county, riding, or division, within which such cities,
towns, and places, may happen to lie: be it therefore enacted,
That in all cases where the militia has not been raised, or shall
not at any time hereafter be raised, for any county, riding, or
division, within which any city, town, or place, shall not be
rated to the said rate called *The County Rate*, the payment of the
said sum of five pounds *per man* upon the whole number of
private militia men directed to be raised within every county or
place, shall be divided and apportioned between each respective
county, riding, or division, and each such respective city, town,
and place, within the same, as shall not contribute to the said
rate called *The County Rate*, in such proportion as the respective
quota's paid to the land tax by each respective county, riding,
or division, and by each such respective city, town, and place,
bear to each other; and the respective sum and sums so ascer-
tained and apportioned, shall be raised by a separate rate and
assessment, to be made within each such respective town and
place, in like manner as the rates for the relief of the poor are
made; to be levied and collected within each such respective
city, town, and place, not rated to the rate called *The County*
Rate, by such ways and means, and with such powers and re-
gulations for levying, collecting, and keeping the same distinct,

as

as are prescribed in this act for such respective county or place; and the churchwardens and overseers of the poor of each such respective city, town, and place, shall, from time to time, pay over the same to the treasurer or treasurers of every county or place within which any such city, town, and place, as aforesaid, lies; in order that the said treasurer or treasurers may pay over the same to the receiver general of the said county or place, together with the proportion of the said sum of five pounds *per* man directed to be raised, levied, and paid, within each county or place by this act.

and to be paid over to the publick treasurer,

and by him to the receiver general.

XXIX. And be it further enacted, That in such cities, towns, and places, as are counties of themselves, and yet have no such rate or assessment as is called *The County Rate*, nor any powers or directions for raising, levying, or collecting, the proportion of the said sum of five pounds *per* man, to be raised by the county to which the said cities, towns, or places, are united for the purposes aforesaid; the directions herein before given for raising, levying, and collecting, the proportion, and the said sum of five pounds *per* man, within such cities, towns, and places, as do not contribute to the county rate, shall be pursued and followed in all such cities, towns, or places, as are counties of themselves.

The like directions to be pursued in such cities, towns, and places, as are counties in themselves, and have no county rate.

XXX. And whereas in some parts of the kingdom there are towns which lie in two counties; and doubts may arise, whether such towns are obliged to pay to both counties the sum of five pounds in lieu of every private militia man which shall not be raised by such counties; be it therefore enacted, That where any town lies in two counties, it shall be lawful for the said town to contribute their *quota*, for and in lieu of raising the militia, for that county only where the church of the said town is situate; and the deficiencies of the rate, which the said town would have paid, shall be made up by the county in general, and not by the division or hundred where the said town is situated.

In towns lying in two counties, one to contribute their *quota* for that county only where their church stands.

XXXI. And be it further enacted, That if any sum or sums of money which ought to be paid by any such city, town, or place, not rated to the *County Rate* as aforesaid, shall not be paid to the treasurer of the respective county or place before the first day of *June* in every year, according to the true intent and meaning of this act; the justices of the peace for such county or place in which such city, town, or place, doth lie, shall, and they are hereby required at their next *Midsummer* quarter sessions, to issue out an order to the overseers of the poor of each respective parish or place within such city, town, and place, not rated to the county rate as aforesaid, requiring such overseers to certify and return to the said justices at the next *Michaelmas* quarter sessions, the several *quota's* that each parish or place (within such city, town, or place, not paying to the county rates, as aforesaid) pays to the land tax for that year; and such overseers of the poor are hereby required to make such certificate and return accordingly; and upon such certificate and return being made, the said justices, so assembled at their *Michael-*

Where any city, town, or place, not contributors to the county rate, shall not pay their *quota* by 1 June in any year,

the justices, at their *Midsummer* sessions, are to issue an order for certifying to the *Michaelmas* session the respective *quota's* of each parish, &c. and to issue

mas

their war-
rants there-
upon for levy-
ing the same
on the
churchward-
ens or over-
seers,

mas quarter sessions, are hereby authorized and required (by their warrant, directed to any constable or tythingman within such respective parishes and places) to cause the same to be levied by distress and sale of the goods and chattles of any churchwarden or churchwardens, or any overseer or overseers of the poor of each and every parish or place within such city, town or place, not paying to the county rate as aforesaid, rendering the overplus (if any) to the owners of such goods and chattles, after such sum or sums of money, together with the reasonable charges attending such distress and sale, shall be fully paid and satisfied; and such churchwardens and overseers of the poor shall be reimbursed the sum and sums of money so levied on them respectively, by the same ways and means as overseers of the poor are reimbursed the money by them expended for the relief of the poor by any law now in being.

who are to be
reimbursed as
by a poor's
rate.

Where the
militia shall
be duly raised,
the county is
discharged
from paying.

XXXII. Provided nevertheless, That if the militia shall be raised in the manner appointed by virtue of this act, in all or any of the said counties and places, such respective counties and places shall, during the time the militia are so raised, be exonerated, freed, and discharged from the payment of the said sums; and the assessments to be made in respect thereof shall, during such time, be suspended; any thing herein contained to the contrary notwithstanding.

Where the
penalty has
been assessed
and raised, the
money is to
be paid over
forthwith to
the receiver
general.

XXXIII. And it is hereby enacted, That in every county and place, wherein the sum of five pounds *per* man shall have been assessed and raised in manner as is herein before directed, the justices of the peace of every such county and place shall, without delay, cause such sum and sums of money to be paid to the receiver general of the land tax for such county and place, in manner as herein after is directed and required; which said sum or sums of five pounds *per* man, when paid as herein after is directed and required, shall be, and is hereby declared to be, in full discharge for the neglect and failure, for not having raised and trained the militia for such county or place for the year then next preceding.

Treasurers to
pay over the
monies re-
ceived within
a month to
the receivers
general,
who are to
have receipts
for the same,
and certify
such payments
to the trea-
sury,

XXXIV. And it is hereby enacted, That the treasurer or treasurers for each such respective county or place, who shall receive the said sum of five pounds *per* man, shall, and is and are hereby required to pay the same to the receiver general of the land tax for such county or place, within one calendar month after he or they shall receive the same; and the respective receivers general of the land tax of each such county or place, to whom such money shall be paid, shall give a receipt for the same to the person paying such money, whose receipt shall be a sufficient discharge for such payment; and shall, within ten days after the receipt of such sum and sums of money, certify such receipt to the lord high treasurer, or the lords commissioners of his Majesty's treasury for the time being; and shall forthwith pay the same into the receipt of his Majesty's exchequer at *Westminster*, and distinguish, upon every such payment, the monies received by virtue of this act; and the monies so paid

paid into the receipt of his Majesty's exchequer shall be kept separate and apart from all other monies, to be accounted for yearly, and every year, to parliament, and to be applied and disposed of as parliament shall direct.

and pay the monies into the exchequer.

XXXV. Provided always, and be it further enacted by the authority aforesaid, That no fee or gratuity whatsoever shall be given or paid, for or upon account of any warrant which shall be made out for any sum of money which shall be paid into his Majesty's exchequer, or issued in relation to or in pursuance of this act.

No fee to be paid thereupon at the exchequer

XXXVI. And be it enacted, That the commissioners of his Majesty's treasury, or the high treasurer for the time being, are hereby authorized to allow to the said receiver general for such county and place respectively, in *England, Wales, and Berwick upon Tweed*, upon the clearing of his accounts, a salary for his pains and trouble, in receiving and paying in the monies required to be received and paid by this act, not exceeding two pence in the pound for so much money as he shall pay into the exchequer in pursuance of this act.

Receivers general to be allowed 2 d. in the pound upon clearing their accounts;

XXXVII. And be it further enacted, That the treasurer or treasurers of every county or place, as a recompence and reward for his and their pains and trouble in collecting and receiving the sums charged upon each parish or place in each respective county and place by virtue of this act, and for giving receipts to the person or persons of whom they receive the same, and for paying the same to his Majesty's receiver general, as herein before is directed, upon collection of the whole sum appointed to be collected by them, and payment thereof, as aforesaid, shall be allowed the sum of one penny in the pound; which sum every such treasurer and treasurers is and are hereby empowered to detain, out of the monies received by him, before payment thereof to the receiver general as aforesaid: and that every high constable, as a recompence for his trouble and pains in sending out warrants and doing his duty therein, shall be allowed and paid, by such treasurer or treasurers, the sum of one penny in the pound; and that every petty constable, churchwarden, overseer of the poor, or other person employed in collecting the said sum or sums hereby directed to be raised, on payment to the treasurer or treasurers of each county or place of the whole sum directed by them to be raised within each of their respective divisions or places, shall be allowed and paid by such treasurer or treasurers the like sum of one penny in the pound, as a reward for their diligence, pains, and trouble.

Treasurers 1d

High constables 1 d.

and petty constables, churchwardens, and overseers, 1 d. likewise.

XXXVIII. And be it further enacted, That in case the treasurer or treasurers of any county, riding, or division, shall, at any time, be in advance in the payment of any sum or sums of money to the receiver general of such county, riding, or division; the justices of the peace for such county, riding, or division, at their next general quarter sessions to be holden after any such payment, shall, and they are hereby required to assess, and cause to be levied, a sufficient sum of money to reimburse such

Treasurers to be reimbursed monies paid in advance by them, by assessment made at the next quarter sessions, as for county rates;

such treasurer or treasurers all such sum or sums of money as he or they shall have so paid ; to be assessed, collected, and levied, in the same manner as other county rates directed to be assessed, collected, and levied.

and so, with respect to cities and towns, &c. not contributory to county rates.

XXXIX. Provided always, and it is hereby enacted, That the justices of the peace for such county, riding, or division, at their said general quarter sessions, shall, and are hereby empowered to assess and levy, in manner as is herein before directed, on every city, town, and place, which is not contributory to, or doth not pay to, the county rates of such county, riding, or division respectively, such proportion of the money so paid by such treasurer or treasurers, as is herein before directed and required to be raised and paid by such city, town, and place.

Clerks of the peace to transmit yearly to the treasury and receivers general,

signed copies of the certificates delivered in pursuance of this act ;

and to certify where none have been delivered,

and what proceedings have been had thereupon at the quarter sessions, relating to the assessing, &c. the penalty for not raising the militia.

Solicitor of the treasury to prosecute where justices neglect their duty therein.

XL. And be it further enacted by the authority aforesaid, That such clerks of the peace of each respective county or place shall, and they are hereby required, within fourteen days next after the general quarter sessions of the peace to be held after the twenty fifth day of *December* yearly, to transmit to the lord high treasurer or to the commissioners of his Majesty's treasury for the time being, and also to the receiver general of the land tax for such county or place, a copy, signed by such clerk of the peace, of every certificate which shall have been delivered in pursuance of this act ; and in case no such certificate shall have been delivered in, then such clerks of the peace shall certify to the lord high treasurer or to the commissioners of his Majesty's treasury, and also to such receiver general, that no such certificate from his Majesty's lieutenant, or any three deputy lieutenants, hath been received by him, and that he hath certified the same to the justices of such general quarter sessions, and thereon required such justices to proceed according to the directions of this act ; and shall also certify what proceedings have been had at such general quarter sessions, in relation to the assessing and raising the said sum of five pounds *per* man where the militia shall not have been raised ; and in case the justices of the peace, at such general quarter sessions, shall omit, neglect, or refuse, proceeding according to the directions of this act to raise the said sum of five pounds *per* man in every county, riding, or place, where the militia shall not have been raised in the year preceding, then such clerks of the peace of every such respective county or place shall, and they are hereby required, within fourteen days next after such general quarter sessions of the peace, to certify to the solicitor of the treasury the omission, neglect, or refusal (as the case may be) of such justices to obey the orders and directions of this act, and the names of the justices of the peace who shall be present at such sessions ; and the solicitor of the treasury aforesaid is hereby directed and required, on receipt of such certificate, forthwith to proceed by such legal ways and means as may be requisite, most effectual, and expeditious, to compel the justices of the peace of such county or place, so omitting, neglecting, or refusing to proceed

proceed by such legal ways and means as may be requisite, most effectual, and expeditious, to compel the justices of the peace of such county or place, so omitting, neglecting, or refusing to proceed according to the directions of this act, to raise the said sum of five pounds *per* man in such county or place making default in raising the militia as aforesaid, and to enforce the payment thereof, and due obedience to this act.

XLI. *And, for the better executing this act,* be it further enacted, That if the said sum of five pounds *per* man, to be paid as aforesaid in such counties and places where the militia shall not be raised, shall not be levied, collected, and paid, into his Majesty's exchequer, in manner as herein before directed; or if any person or persons shall refuse, neglect, or omit, to pay his or their proportion thereof, or to perform his or their duty therein, for raising and payment of the same; then, and in every such case, every treasurer, high constable, and petty constable, or other person, to whom any such default of payment, refusal, neglect, or omission, shall be made, shall, and he is hereby required, within fourteen days after such default of payment, refusal, neglect, or omission, to him or them made, to certify the same in writing, signed by him or them respectively, with the reason or cause thereof, unto the clerk of the peace of every such county or place wherein the same shall happen; and then, and in every such case, every such clerk of the peace shall, and he is hereby required, within fourteen days after, to certify the same to the solicitor of the treasury; and, in failure thereof, every such clerk of the peace shall, for every such offence, forfeit and pay the sum of two hundred pounds, to any person who shall sue for the same in any of his Majesty's courts of record at *Westminster*, or the courts of great session in the principality of *Wales*, or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*, wherein no essoin, protection, wager of law, nor more than one imparlance, shall be allowed; and shall also forfeit his office, and shall be rendered incapable of having, receiving, or holding, any office of trust, civil or military, under the government; and the solicitor of the treasury, on the receipt of such certificate, is hereby directed and required forthwith to proceed, by all such legal ways and means as may be requisite and most effectual, to compel the payment of such sum and sums of money, and also to compel such persons as shall so refuse, neglect, or omit, to perform his or their duty, as aforesaid, to act in obedience to, and in pursuance of, the direction of this act, and to carry the same into full and complete execution.

XLII. And be it enacted, That if any clerk of the peace shall refuse or neglect to receive, deliver, file, make record, or transmit such certificates, as aforesaid, or any of them, according to the true intent and meaning of this act, every such clerk of the peace, so offending, shall, for every such offence, forfeit and pay the sum of five hundred pounds, to any person who shall inform or sue for the same in any of his Majesty's courts of record at *Westminster*, or the courts of great session in the

Where the penalty shall not be duly paid into the exchequer; or any person shall refuse payment of his quota, &c.

the same is to be certified to the clerk of the peace;

and by him to the solicitor of the treasury;

on penalty of 200 l.

and forfeiting his office, and being incapacitated. Solicitor of the treasury to compel payments, &c.

Clerk of the peace neglecting his duty forfeits 500 l.

principality of *Wales*, or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*, wherein no essoin, protection, wager of law, nor more than one imparlance shall be allowed; and his office, and shall also forfeit his office, and shall be rendered incapable of having, receiving, or holding, any office of trust, civil or military, under the government.

Receiver general neglecting his duty. XLIII. And it is enacted, That if any receiver general, or treasurer, shall wilfully omit, neglect, or refuse to do any such act or acts as are required to be done by him or them for the better or more effectual carrying this act into execution; every

forfeits 200 l.

such receiver general or treasurer, so offending, shall, for every such offence, forfeit and pay the sum of two hundred pounds, to any person who shall inform or sue for the same in any of his Majesty's courts of record at *Westminster*, or the courts of great sessions in the principality of *Wales*, or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*, wherein no essoin, protection, wager of law, nor more than one imparlance, shall be allowed.

Chief constable neglecting his duty forfeits 50 l.

XLIV. And be it enacted, That if any chief constable shall wilfully omit, neglect, or refuse, to do any such act or acts as are required to be done by him for the better and more effectual carrying this act into execution, every such chief constable so offending shall, for every such offence, forfeit and pay, to any person who will inform or sue for the same, the sum of fifty pounds; and every petty constable and other person who shall in like manner offend, shall, for every such offence, in like manner forfeit and pay the sum of twenty pounds; to be recovered and levied in manner herein after mentioned and directed.

and petty constable 20 l.

Recovery of fines, penalties, and forfeitures, where not otherwise directed.

XLV. And be it enacted, That all fines, penalties, and forfeitures, by this act imposed, the manner of recovery whereof is not in this act particularly provided for, shall, on proof upon oath of offence before any justice of the peace of the county or place where the offence shall be committed, be levied by distress and sale of the offender's goods and chattles, by warrant under the hand and seal of such justice, rendering the overplus (if any) on demand, after deducting the charges of such distress and sale, to the offender upon whom such distress shall have been made; and where the goods and chattles of such offender shall not be sufficient to answer such distress, such justice is hereby required to commit such offender to the common gaol of the county or place where the offence shall have been committed, for any time not exceeding three months.

Solicitor of the treasury to prosecute, with diligence, justices, receivers general, treasurers, and others, neglecting their duty;

XLVI. And be it further enacted, That the solicitor to the lord high treasurer, or to the commissioners of his Majesty's treasury for the time being, shall, and he is hereby directed and required, with all due diligence, to prosecute with effect all such justices of the peace, receivers general, treasurers, and other persons, who shall omit, neglect, or refuse, to perform their duty as aforesaid, to carry this act into execution; and to raise the said sum of five pounds *per* man in every such county or place where the militia shall not have been raised, or shall not continue to be raised, according to the true intent and meaning

of this act; and cause the same to be paid into his Majesty's court of exchequer, as herein before directed and required: and if the solicitor to the lord high treasurer, or to the commissioners of his Majesty's treasury for the time being, shall wilfully omit, neglect, or refuse, to proceed against such justices of the peace, receivers general, treasurers, or other persons, or shall wilfully delay to proceed, or shall not prosecute with all due diligence and expedition; then such solicitor of the treasury so offending shall, for every such offence, forfeit and pay the sum of five hundred pounds, to any persons who shall inform or sue for the same in any of his Majesty's courts of record at *Westminster*, or the courts of great sessions in the principality of *Wales*, or the courts of the counties palatine of *Chester*, *Lancaster*, and *Durham*, wherein no esoin, protection, wager of law, nor more than one imparlance, shall be allowed; and shall also forfeit his office, and shall be rendered incapable of having, receiving, or holding, such office for the future, or any other place or office of trust, civil or military, under the government.

on penalty of 500 l. for any wilful neglect;

and forfeiture of his office, and being incapacitated.

XLVII. And be it enacted, That in all counties, ridings, and places, where the militia has not been raised, his Majesty's lieutenant for every such county and place, together with any two or more deputy lieutenants; and on the removal, or, in the absence of his Majesty's lieutenant, any three or more deputy lieutenants, shall meet at some city or principal town of the county or place for which they shall be commissioned, on the second *Tuesday* in *March* in every year; and if there should happen to be no such meeting on that day, then his Majesty's said lieutenant, or, on his death or removal, or in his absence, any three or more deputy lieutenants, shall and may, from time to time, as may be necessary and requisite for carrying this act into execution, or any of the purposes hereof, summon, or cause to be summoned, a general meeting, to be holden at the same city or principal town on a day to be fixed by such summons; of which day and place notice shall be given in some weekly paper usually circulated (if any such there be) within the same county or place, seven days, at least, before the holding of such meeting.

Where the militia has not been raised, an annual meeting is to be held of lieuts. and d. lieuts. on the 2d Tuesday in March;

and on default of such meeting, a general meeting is to be summoned for carrying this act into execution.

XLVIII. And be it further enacted, That if any person actually serving in any of his Majesty's regular forces, shall offer himself to serve and be inrolled as a substitute in any regiment or battalion of militia; or if any person actually inrolled and serving in any regiment or battalion of militia, shall offer himself to serve and be inrolled as a substitute in any other regiment or battalion of militia; then every such person so offending shall, for every such offence, or proof thereof upon oath before any justice of the peace of the county or place where the offence shall be committed, forfeit and pay, to any person who will inform or sue for the same, the sum of ten pounds; to be levied by distress and sale of the offender's goods and chattles, by warrant under the hand and seal of such justice, rendering the overplus (if any) on demand, after deducting the charges of such distress and sale, to the offender upon whom such distress

Persons serving in the regular forces, offering to serve and be inrolled as substitutes in the militia; and persons inrolled and serving in the militia, offering to serve or be inrolled as substitutes in another corps, forfeit 10 l.

and for want of distress may be committed.

This act not to annul any thing done in pursuance of the former acts, &c.

Limitation of actions.

General issue.

Treble costs.

Form of the return of officers present at the time of exercise.

shall have been made; and where the goods and chattles of such offender shall not be sufficient to answer such distress, such justice is hereby required to commit such offender to the common gaol of the county or place where the offence shall have been committed, for any time not exceeding three months.

XLIX. And be it enacted, That nothing in this act contained shall in any wise extend to annul, or make void, any thing already done in pursuance of the former acts relating to the militia forces, or any of them; or to prevent the completing any proceedings already commenced in pursuance of the said acts.

L. Provided always, and be it enacted, That if any suit or suits, action or actions, shall be brought or commenced against any person or persons for any thing done in pursuance of this act, the action or actions, suit or suits, shall be commenced within six calendar months after the fact committed, and not afterwards; and shall be laid in the county where such action or actions, suit or suits, did arise, and not elsewhere; and the defendant or defendants in such suit or suits, action or actions, to be brought, may plead the general issue, and give this act, and the special matter, in evidence: and if the jury shall find for the defendant or defendants in such suit or suits, action or actions; or if the plaintiff or plaintiffs shall be nonsuited, or discontinue his or their suit or suits, action or actions, after the defendant or defendants shall have appeared; or if, upon demurrer, judgement shall be given against the plaintiff or plaintiffs; the defendant or defendants shall have treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases to recover costs by law.

LI. And be it further enacted by the authority aforesaid, That the part of the return which gives an account of the number of officers present during the time of exercise shall be in the form following; (*to wit,*)

Colonel	No of Days.
Lieutenant Colonel	
Major	
First Captain	
Second Captain	
Third Captain	
Fourth Captain	
Fifth Captain	
Sixth Captain	
Seventh Captain	
Eighth Captain	
Ninth Captain	
Tenth Captain	
Captain Lieutenant	
First Lieutenant	
Second Lieutenant	
Third Lieutenant	

Fourth

CAP. LIV.

An act for enlarging the term and powers of an act made in the twenty fifth year of his late Majesty, for repairing and widening the roads from the east end of Monk Bridge, near the suburbs of the city of York, to New Malton, and from thence to Scarborough, in the North Riding of the county of York; and also from Spittle House, in the East Riding of the said county, to Scarborough aforesaid.

CAP. LV.

An act for repairing and widening the road from the end of the turnpike road in Shawbury, in the county of Salop, to Drayton in Hales, in the said county; and from thence to Newcastle under Line, in the county of Stafford; and from Shawbury aforesaid, to the turnpike road in High Ercall, in the said county of Salop; and from Shawbury aforesaid to Wem, in the said county; and from thence to the turnpike road in Sandford, in the said county.

CAP. LVI.

An act for repairing and widening several roads in the counties of Montgomery, Merioneth, and Salop.

CAP. LVII.

An act for continuing two acts made in the sixth year of King George the First, and in the seventh year of his late Majesty for laying a duty of two pennies Scots, or one sixth part of a penny Sterling, upon every pint of ale or beer that shall be vended or sold within the town of Montrose and privileges thereof, for supplying the said town with fresh water, and for other purposes therein mentioned.

CAP. LVIII.

An act for repairing the road from the town of Cirencester, in the county of Gloucester, to the tenth mile stone from Cirencester at or near the east end of the town of Tetbury, and from the west end of the churchyard in the said town of Tetbury to a gate in the said county near The Monument upon Landdown.

CAP. LIX.

An act to empower the right honourable Sir Henry Cavendish baronet, to shut up certain roads and a foot path in the parish of Doveridge, in the county of Derby; and to oblige him to make and keep in repair for the future a new road and foot path in lieu thereof.

CAP. LX.

An act to enable Edward Byrom esquire to complete a building intended for a new church in the town of Manchester, and for making the same a perpetual cure and benefice; and for other purposes.

CAP. LXI.

An act for raising money to discharge debts contracted for rebuilding the parish church and tower of Saint Nicholas, in the city of Bristol; and to rebuild the spire, and compleat the said church; and for other purposes.

CAP.

CAP. LXII.

An act to rebuild the shire-hall of the county of Nottingham; and for using the guild-hall of the town and county of the town of Nottingham; for the purposes of a shire-hall in the mean time.

CAP. LXIII.

An act to enlarge the term and powers of two acts passed in the tenth year of King George the First, and the sixteenth year of his late Majesty, for repairing the road from the north part of Harlow Bush Common, in the parish of Harlow, to Woodford, in the county of Essex.

CAP. LXIV.

An act to continue and render more effectual several acts passed in the sixth and twelfth years of King George the First, and the twenty eighth year of his late Majesty, for repairing the roads from Stevenage, in the county of Hertford, to Biggleswade, in the county of Bedford, and other roads therein mentioned; and for repairing and widening the road from Radwell Corner to the turnpike road at Arlesey, in the county of Bedford.

CAP. LXV.

An act to repair and widen the road from the Broken Cross, in Macclesfield, in the county of Chester, over the Long Moss and Monks Heath, to the turnpike road in Nether Tabley, in the said county; and for turning and exchanging part of the said road.

CAP. LXVI.

An act for repairing and widening the road from the city of Norwich, to Scole Bridge, in the county of Norfolk.

CAP. LXVII.

An act for repairing and widening the road from Scole Bridge, to the place where the east gate lately stood in the town of Bury Saint Edmunds, in the county of Suffolk.

CAP. LXVIII.

An act for amending the road from Bishopsgate Bridge, in the city of Norwich, to a stone formerly called the Two Mile Stone, where the Norwich road joins the Caister causeway, two miles and a half short of the town of Great Yarmouth.

CAP. LXIX.

An act for repairing and widening several roads leading to and through the borough of Bodmin, in the county of Cornwall.

CAP. LXX.

An act for making and maintaining a navigable canal, from the Coventry canal navigation to the city of Oxford.

CAP. LXXI.

An act for extending the navigation of the river Calder to Salter Hebble Bridge, and to Sowerby Bridge, in the county of York, and for repealing an act for that purpose.

CAP. LXXII.

An act for the better establishment of the foundation of John Michel esquire,

esquire, in the Queen's College in the university of Oxford, and for other the purposes therein mentioned.

CAP. LXXIII.

An act to enlarge the term and powers of an act passed in the thirty first year of his late Majesty, for amending the road from Pengate to Latchetts Bridge, and other roads in the county of Wilts; and for amending several roads near adjoining to the said roads.

CAP. LXXIV.

An act for enlarging the term and powers granted by an act of the twenty third year of his late Majesty, for repairing the roads from Dunglas Bridge, to the town of Haddingtoun, and from thence to Ravenshaughburn, in the county of Haddingtoun.

CAP. LXXV.

An act for continuing and rendering more effectual an act for repairing the road from Bowes in the county of York, to Brough under Stainmore in the county of Westmorland; and for repairing and widening the road from Maiden Castle to Kaber Crofs, and also the road from Maiden Castle to the coal works at Taylor Rig, and to Tan Hill and King's Pitts; and also the road from Barrow's Brow to Middle Fell Dyke Nook, in the said counties; and also from Tan Hill and King's Pitts to Beck Crooks, and Punchatt Pasture West Gate to Whaw Lane Head, and by Lilly Jocks to Reeth.

CAP. LXXVI.

An act to repeal so much of an act passed in the second year of his present Majesty, for repairing and widening the roads from the White Post on Haselden's Wood, in the parish of Cranbrooke, to Appledore Heath, and other roads in the county of Kent, as relates to the road from Golford Green to Tanner's Vent; for enlarging the term and powers of the said act, with respect to the other roads therein contained; and for amending the road from the turnpike road in the parish of Tenderden, through Rolvenden, to the turnpike road in the parish of Newenden, in the said county.

CAP. LXXVII.

An act for repairing and widening the road leading from Tal y Cafn Ferry in the county of Caernarvon, and through the towns of Conway, Bangor, and Caernarvon, to the town of Pwllhely in the same county.

CAP. LXXVIII.

An act for repairing and widening the road from Maidstone through Debting to Key Street, in the parishes of Borden and Bobbing in the county of Kent.

CAP. LXXIX.

An act for repairing and widening the road from Beverley to the ferry at Hessle, and from the Malton guide post to the gravel pit at Cottingham, in the county of York.

CAP. LXXX.

An act for repairing and widening the road from Cheadle to Botham Houfe

House, and from thence to Butterson Moor End, in the county of Stafford.

CAP. LXXXI.

An act for repairing and widening the road from Darly Moor in county of Derby, to Ellaston in the county of Stafford; and from thence to the turnpike road between Leck and Ashborne, in the said counties of Derby and Stafford.

CAP. LXXXII.

An act for the more effectual relief of the poor in the county of Devon.

CAP. LXXXIII.

An act for laying open and widening certain ways and passages within the town of Birmingham; and for cleansing and lighting the streets, lanes, ways, and passages there; and for removing and preventing nuisances and obstructions therein.

CAP. LXXXIV.

An act for building a bridge at Worcester, over the river Severn, and opening convenient avenues to the said bridge.

CAP. LXXXV.

An act for building a chapel at Plymouth Dock, in the parish of Stoke Damerell in the county of Devon.

CAP. LXXXVI.

An act for repairing the roads leading from the turnpike road in Tring, in the county of Hertford, through Dunstable, Hitchin, Baldock, and Royston, to the turnpike road at or near Bourn Bridge; and from the west end of Wellbury Lane to the turnpike road at the south end of Barton, in the counties of Hertford, Bucks, Bedford, and Cambridge.

CAP. LXXXVII.

An act to continue and render more effectual an act passed in the thirtieth year of his late Majesty, for repairing the road from Hitchin, in the county of Hertford, through Shefford, to the turnpike road from Saint Albans to Bedford, and other roads therein mentioned; and for repairing and widening the road from Shefford way post, to the turnpike road at Henlow in the county of Bedford.

CAP. LXXXVIII.

An act for repairing the road from Stoney Stratford in the county of Bucks, through the towns of Buckingham and Bicester, to the town of Woodstock in the county of Oxford.

CAP. LXXXIX.

An act for making a road from the south end of Blackfriars bridge to the present turnpike road cross Saint George's fields, and from thence to some place at or near the house called The Dog and Duck, and to Newington Butts, in the county of Surry; and for empowering the trustees for carrying into execution an act passed in the twenty fourth year of the reign of his late Majesty, to repair, light, and watch the said roads, when made.

CAP. XC.

An act for enlarging the term and powers of two acts passed in the third

third and twenty second years of his late Majesty, for repairing the several roads leading into the city of Hereford, and for amending the roads to Lancloudy Hill and Langua Bridge.

C A P. XCI.

An act to explain, amend, and render more effectual, an act passed in the twenty seventh year of King George the Second, for repairing and widening the road from Leicester to Narborough, and from Leicester to Coventry, and from thence through Kenilworth to Warwick, and other roads, and for other purposes in the said act mentioned, so far as the same relates to the road from the borough of Leicester to the town of Narborough, and from Leicester to Hinckley in the county of Leicester.

C A P. XCII.

An act to amend an act of the fifth year of his present Majesty's reign, for repairing and widening the road from Tonbridge to Maidstone, and from Wat's Crops to Cowden, in the county of Kent, so far as the same relates to the repair of the road from Wat's Crops to Cowden; and for repairing the roads leading from Sevenoakes Common to Crockhurst Hatch Corner, and from Penshurst town to Southborough in the said county.

C A P. XCIII.

An act to continue and render more effectual two acts for amending several roads leading from the city of Exeter, and for repairing and widening several other roads therein mentioned; and for rebuilding or repairing Exe Bridge, and making the avenues leading thereto more commodious; and for building a bridge over the river Exe, at or near Countess Wear in the county of Devon.

C A P. XCIV.

An act for repealing so much of two several acts of parliament made and passed in the seventeenth and twenty eighth years of the reign of his late majesty King George the Second, as relate to the road from the end of the county of Stafford in the post road towards the city of Chester, through Woor in the county of Salop, to Nantwich in the county of Chester, and from Nantwich to Tarporeley, and from thence through Tarvin in the said county of Chester to the said city of Chester, and for more effectually repairing, widening, and supporting the same road; and also for repairing and widening the road from Northwich, in the said county of Chester, to the crops in Tarvin aforesaid.

C A P. XCV.

*An act to empower the trustees of the will of the late general Pulteney, and other trustees appointed by this act, to purchase and exchange lands and grounds in the manor of Bathwick in the county of Somerset, for the purpose of making certain roads and ways to and from a free bridge by them intended to be built over the river Avon in the said county; and also to empower the persons in possession of the said estate for the time being, under the said will, to
grant*

grant leases of certain lands and houses in the said manor ; and likewise to enable the said trustees to grant certain grounds and springs of water within the said manor of Bathwick, to the mayor, aldermen, and citizens of Bath ; and for extending the jurisdiction of the said mayor, aldermen, and citizens, over part of the said manor of Bathwick ; and for other purposes therein mentionea.



THE
Statutes at Large,

Anno decimo GEORGII III. Regis.

Being the THIRD Session of the

Thirteenth Parliament of GREAT BRITAIN,

BY

DANBY PICKERING, of GRAY'S INN, Esq;

VOL. XXVIII.

U

THE STATUTES at Large, &c.

Anno regni GEORGII III. Regis, Magnæ Britannicæ, Franciæ, & Hiberniæ, decimo.

AT the parliament begun and holden at Westminster, the tenth day of May, Anno Dom. 1768, in the eighth year of the reign of our sovereign lord GEORGE the Third, by the grace of God, of Great Britain, France, and Ireland, King, defender of the faith, &c. And from thence continued by several prorogations to the ninth day of January, 1770; being the third session of the thirteenth parliament of Great Britain.

C A P. I.

An act for continuing an act made in the last session of parliament, to prohibit, for a further time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour.

WHEREAS an act was made in the last session of parliament, intituled, *An act to prohibit, for a further time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits, from wheat and wheat flour*, which is thereby enacted to continue until the twentieth day after the commencement of the next session of parliament: and whereas it is expedient that the same should be continued for a further time; be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall remain, and be in full force and effect, and is hereby continued, until the twentieth day after the commencement of the next session of parliament.

Preamble,

Act 9 Geo. III.
further continued till the 20th day after the commencement of next session.

Continuation
may be
abridged by
parliament.

II. Provided nevertheless, That the said continuation may be abridged or shortened, and this act, or any part thereof, may be altered and varied by any other act or acts to be made in this present session of parliament.

C A P. II.

An act to continue for a further time an act made in the eighth year of his present Majesty's reign, intituled, An act to continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, An act for Importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time.

Preamble.

WHEREAS an act was made in the fifth year of his present Majesty's reign, intituled, *An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time*: And whereas an act was made in the eighth year of his present Majesty's reign, to continue and amend the said first-mentioned act; and for allowing the importation of salted beef, pork, bacon, and butter, from the *British dominions in America*, for a limited time: And whereas an act was made in the last session of parliament to continue the said last-mentioned act: And whereas it is expedient that the importation of all the said goods and commodities should be admitted for a longer time than is allowed by the said act, made in the eighth year of his present Majesty's reign: May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act made in the eighth year of his present Majesty's reign, intituled, *An act to continue and amend an act made in the fifth year of the reign of his present Majesty, intituled, An act for importation of salted beef, pork, bacon, and butter, from Ireland, for a limited time; and for allowing the importation of salted beef, pork, bacon, and butter, from the British dominions in America, for a limited time*, shall continue and be in full force and effect, until the first day of *March*, one thousand seven hundred and seventy-one.

8 Geo. III.

& 5 Geo. III.

Act 8 Geo. III.
further con-
tinued to
1 March, 1771.

Continuation
may be
abridged by
parliament.

II. Provided nevertheless, That the said continuation may be abridged or shortened, and this act, or any part thereof, may be altered and varied, by any other act or acts to be made in this present session of parliament.

C A P. III.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

C A P.

CAP. IV.

An act for indemnifying all persons, with respect to advising or carrying into execution his Majesty's orders of council made for preventing the spreading of a contagious distemper amongst the horned cattle, and for rendering the same valid and effectual; and for preventing suits in consequence thereof; and to authorize the continuing, extending, and executing the same, for a further time.

WHEREAS, upon divers informations received, shewing, that an infectious distemper had broke out, and continued to rage amongst the horned cattle in certain parishes in the county of Southampton, and that several of them had died thereof; and further, that the parishes in which the said distemper raged were very extensive, and contained many herds of horned cattle, some of which were dispersed at considerable distances from others; and further, that certain horned cattle had been driven from places where the said infectious distemper had broken out, and still raged, towards London and other parts of the kingdom; his Majesty, taking the same into consideration, and judging it to be a matter of the utmost importance to prevent, if possible, the spreading of the said distemper, was pleased, by divers orders in council, bearing date, respectively the seventh, the fourteenth, and the twentysecond days of December last to direct the lord lieutenants and justices of the peace for the several counties therein mentioned, upon the first appearance of the said distemper amongst the horned cattle in each of the said counties respectively, forthwith to carry into execution the directions and regulations prescribed by his Majesty's said orders in council; whereby it was ordered, (amongst other things) that they should prevent the removing any horned cattle from infected places; and that they should cause such cattle in places where the infection had spread, and also cattle coming from infected places, to be killed, and their carcases and hides buried, and treated in all respects in the manner prescribed by an order of his late Majesty in council, bearing date the twenty-second day of March in the year one thousand seven hundred and forty-seven, first rendering to the owner or owners of such cattle, what, in their judgement, should be the full and fair value of them; and his Majesty was thereby further pleased to order, that the lords commissioners of the treasury should issue such sums, from time to time, as might be necessary to defray all charges and expences occasioned by the said several orders, which said orders, for the intents and purposes aforesaid, and the carrying the same into execution, could not be justified according to the strict forms of law, and yet were necessary, and so much for the service of the public, and their preservation against so great and dangerous a calamity, that they ought to be justified by act of parliament; and all persons advising, acting under, or in obedience to, the same, indemnified: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, That all personal actions and suits, indictments, informations, and all prosecutions

Preamble.

All personal
actions or
prosecutions,

by reason of any act done in pursuance of the recited orders of council, or contract not performed, are discharged;

and the defendant may plead the general issue.

Double costs,

His Majesty, with the advice of his privy council, empowered to continue the said orders in council, and to extend the same to such counties and places as he shall judge expedient, &c.

General issue.

tions and proceedings whatsoever, which have been or shall be prosecuted or commenced against any person or persons for or by reason of any act, matter, or thing, advised, commanded, appointed or done, in relation to the premises, or of any contract or agreement not performed by means of, or in obedience to, such order or orders of council, be, are, and shall be, discharged and made void by virtue of this act; and that if any action or suit shall be prosecuted or commenced against any person or persons for any such act, matter, or thing, so advised, commanded, appointed, or done, or such contract or agreement not performed, he, she, or they, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs in any action or suit so to be commenced or prosecuted, shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict pass, or if judgement shall be given upon any verdict or demurrer against such plaintiff or plaintiffs, the defendant or defendants shall recover his, her, or their, double costs, and shall have the like remedy for the same, as in cases where costs by law are given to defendants.

II. *And for the better preventing the spreading of the said infectious distemper, and putting a stop to the same*, be it enacted by the authority aforesaid, That it shall and may be lawful to and for the King's most excellent majesty, his heirs, and successors, by and with the advice of his or their privy council, from time to time, to continue all or any of the said orders made for that purpose by his Majesty in council, bearing date the seventh, and fourteenth, and twenty second days of *December* last, and to extend the same to all such counties and places in *Great Britain*, and all other his Majesty's dominions thereunto belonging, or any part or parts thereof, as his Majesty in his great wisdom shall judge most expedient and effectual to prevent the spreading such infectious distemper; and all the powers and authorities, rules, orders, and regulations therein contained and inserted, shall be in force, and the same shall be duly executed and obeyed by all his Majesty's subjects respectively, and are hereby established, and enacted and declared to be as good and valid in the law, to all intents and purposes, during such time as the same shall be continued by this act, as if the same were herein repeated and expressly enacted; any law, custom, or usage to the contrary notwithstanding: and if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants, in every such action, may plead the general issue, and give this act and the special matter in evidence, at any trial to be had thereupon; and that the same was done in pursuance and by authority of this act, or of some rule, order, or regulation, made in pursuance of this act as aforesaid; and if it appear so to have been done, then the jury shall find for the defendant or defendants: and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared; and if judgement shall be given upon any verdict or demurrer against the plaintiff, the defend-

ant

ant or defendants shall and may recover treble costs, and have the like remedy for the same, as the defendant or defendants hath or have in other cases by law. Treble costs.

III. And it is further enacted by the authority aforesaid, That the said powers, authorities, rules, orders, and regulations, here- by confirmed and established, shall continue and be in force un- til the first day of *November*, in the year one thousand seven hun- dred and seventy, and from thence to the end of the then next session of parliament. The powers, &c. hereby confirmed, to continue in force till Nov. 1, 1770, &c. ;

IV. Provided nevertheless, That the said continuation of the said powers, authorities, rules, orders, and regulations, or any of them, may be repealed, abridged, or shortened; and also that the same, or any of them, may be enlarged, altered, and varied, by any other act or acts to be made in this present session of parliament. unless repeal- ed or altered by parliament.

C A P. V.

An act for continuing and granting to his Majesty certain duties upon malt, mum, cyder, and perry, for the service of the year one thousand seven hundred and seventy.

C A P. VI.

An act for granting an aid to his Majesty by a land tax, to be raised in *Great Britain*, for the service of the year one thousand seven hundred and seventy. — *at three shillings in the pound.*

C A P. VII.

An act for the regulation of his Majesty's marine forces while on shore.

C A P. VIII.

An act to continue, for a limited time, an act made in the se- venth year of his present Majesty's reign, intituled, An act to discontinue, for a limited time, the duties payable upon the importation of tallow, hogs-lard, and grease.

WHEREAS *an act of parliament passed in the seventh year of* Preamble.
the reign of his present Majesty, intituled, An act to discon- Act 7 Geo. III,
tinue, for a limited time, the duties payable upon the importa-
tion of tallow, hogs-lard and grease, which was to continue in force which was to
for three years, from the twenty-fifth day of March, one thousand continue in
seven hundred and sixty-seven, is near expiring: and whereas the al- force for
lowing the importation of tallow, hogs-lard, and grease, for a further three years,
time, may be of great advantage to both kingdoms: may it therefore &c.
please your Majesty that it may be enacted; and be it enacted by the
King's most excellent majesty, by and with the advice and con-
sent of the lords spiritual and temporal, and commons, in this
present parliament assembled, and by the authority of the same,
that the said act, and all and every the clauses, provisions, pe- farther conti-
nalities, forfeitures, allowances, matters, and things therein con- nued till 25
tained, shall be continued, from the expiration thereof, until March 1773.
the twenty-fifth day of March, one thousand seven hundred and
seventy-three, as fully and effectually to all intents and purpo-
ses, as if the same were inserted and re-enacted in the body of
this present act.

C A P. IX.

An act for defraying the charge of the pay and cloathing of the militia in that part of *Great Britain* called *England*, for one year, beginning the twenty-fifth day of *March*, one thousand seven hundred and seventy.

C A P. X.

An act to permit the exportation of malt.

Preamble.

WHEREAS an act was made in this present session of parliament, for continuing an act made in the last session of parliament, to prohibit, for a further time, the exportation of corn, grain, meal, malt, flour, bread, biscuit, and starch, and also the extraction of low wines and spirits from wheat and wheat flour, whereby the said act was continued until the twentieth day after the commencement of the next session of parliament; with a proviso, that the said continuation might be abridged, shortened, altered, or varied, by any other act or acts to be made in this present session of parliament: and whereas it is expedient, at this time, to permit the exportation of malt; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That from and after the passing of this act, so much of the said acts, or either of them, as prohibits the exportation of malt, shall be, and the same is hereby, repealed.

So much of the acts of 9 & 10 Geo III. as prohibits the exportation of malt, repealed.

C A P. XI.

An act for raising a certain sum of money, by loans or exchequer bills, for the service of the year one thousand seven hundred and seventy.

C A P. XII.

An act to enable the commissioners for executing the office of treasurer of his Majesty's exchequer, or the lord high treasurer for the time being, to compound, with *William Hill* and *John Dyer*, a debt due to the crown from *William Pye*, for which they are sureties.

Preamble. Exchequer impowered to compound with *William Hill* and *John Dyer*, &c. a debt due to his Majesty; on payment of which composition, their obligations to be discharged: but the bonds, as to *William Pye* and *William Mills*, not hereby vacated.

C A P. XIII.

An act for enabling his Majesty to grant the inheritance in fee simple of the manor of *Cosham*, in the county of *Wilts*, with the rights, members, and appurtenances thereof, now held, under a demise by letters patent under the seal of his Majesty's court of exchequer, in trust for *Paul Methuen*, Esquire, unto the said *Paul Methuen*, and his heirs, upon a full and adequate consideration to be paid for the same.

Preamble. The King impowered to grant, by letters patent, to *Paul Methuen*, upon an adequate consideration, the manor of *Cosham*, &c. Rents to be paid half-yearly into the exchequer, and carried into the sinking fund. Manner of collecting the quit-rents, &c. not altered. The grant to be deemed good in law, notwithstanding act 1 *Annæ*; and reserved rents, &c. to cease. Reservation of rights.

C A P. XIV.

An act for paying, lighting, and watching the town of *Plymouth*, in the county of *Devon*; and for regulating the carmen and porters within the said town.

C A P.

C A P. XV.

An act to continue an act made in the last session of parliament, intituled, An act for amending and further continuing an act of the sixth year of his present Majesty's reign, intituled, An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, an act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

WHEREAS by an act passed in the ninth year of his present Majesty's reign, intituled, An act for amending and further continuing an act of the sixth year of his present Majesty's reign, intituled, *An act to amend and render more effectual, in his Majesty's dominions in America, an act passed in this present session of parliament, intituled, An act for punishing mutiny and desertion, and for the better payment of the army and their quarters; which act was to continue and be in force, in all his Majesty's dominions in America, from the twenty-fourth day of March one thousand seven hundred and seventy, until the twenty-fourth day of March one thousand seven hundred and seventy-one: and whereas it has been found necessary that the said act should be continued for a further term: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act shall be, and the same is hereby continued, until the twenty-fourth day of March one thousand seven hundred and seventy-two.*

Preamble.
Act 9 Geo. III,
which was to
continue in
force till 24
March 1771,
further conti-
nued till 24
March 1772.

C A P. XVI.

An act to regulate the trials of controverted elections, or returns of members to serve in parliament.

WHEREAS the present mode of decision upon petitions, complaining of undue elections or returns of members to serve in parliament, frequently obstructs publick business; occasions much expence, trouble, and delay to the parties; is defective, for want of those sanctions and solemnities which are established by law in other trials; and is attended with many other inconveniences: for remedy thereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That after the end of the present session of parliament, whenever a petition, complaining of an undue election or return of a member or members to serve in parliament, shall be presented to the house of commons, a day and hour shall by the said house be appointed for taking the same into consideration; and notice thereof in writing shall be forthwith given, by the speaker, to the petitioners and the sitting members,

Preamble.
After the present session, on complaint of undue election, &c. a precise time to be fixed for considering thereof.
Speaker to give notice thereof; and order attendance.

bers, or their respective agents, accompanied with an order to them to attend the house, at the time appointed, by themselves, their counsel, or agents.

but not within
14 days after
appointment of
committee of
privileges.
House may alter
the time,
on like notice
and order.

II. Provided always, That no such petition shall be taken into consideration within fourteen days after the appointment of the committee of privileges.

III. Provided also, That the house may alter the day and hour so appointed for taking such petition into consideration, and appoint some subsequent day and hour for the same, as occasion shall require; giving to the respective parties the like notice of such alteration, and order to attend on the said subsequent day and hour, as aforesaid.

Serjeant at
arms, before
the reading of
the order of
the day, to re-
quire the at-
tendance of
the members.
At his return,
house to be
counted.
For want of
100 members,
to adjourn,

IV. And be it further enacted, That at the time appointed for taking such petition into consideration, and previous to the reading the order of the day for that purpose, the serjeant at arms shall be directed to go with the mace to the places adjacent, and require the immediate attendance of the members on the business of the house; and that after his return the house shall be counted, and if there be less than one hundred members present, the order for taking such petition into consideration shall be immediately adjourned to a particular hour on the following day (*Sunday* and *Christmas* day always excepted;) and the house shall then adjourn to the said day; and the proceedings of all committees, subsequent to such notice from the said serjeant, shall be void: and, on the said following day, the house shall proceed in the same manner; and so, from day to day, till there be an attendance of one hundred members at the reading the order of the day, to take such petition into consideration.

till 100 be pre-
sent.

In presence of
100,
the petition-
ers, &c. to be
ordered to the
bar.

V. And be it further enacted, That if after summoning the members, and counting the house as aforesaid, one hundred members shall be found to be present; the petitioners by themselves, their counsel, or agents, and the counsel or agents of the sitting members, shall be ordered to attend at the bar; and then the door of the house shall be locked, and no member shall be suffered to enter into or depart from the house, until the petitioners, their counsel, or agents, and the counsel or agents for the sitting members, shall be directed to withdraw as herein after is mentioned: and when the door shall be locked as aforesaid, the order of the day shall be read, and the names of all the members of the house, written or printed on distinct pieces of parchment or paper, being all as near as may be of equal size, and rolled up in the same manner, shall be put in equal numbers into six boxes or glasses, to be placed on the table for that purpose, and shall there be shaken together; and then the clerk or clerk assistant attending the house shall publicly draw out of the said six boxes or glasses alternately the said pieces of parchment or paper, and deliver the same to the speaker, to be by him read to the house; and so shall continue to do, until forty-nine names of the members then present be drawn.

Names of the
members

to be put into
six boxes or
glasses,

to be drawn
alternately,
and read by
the speaker,
till 49 be
drawn.
Voting mem-
bers at the
election,

VI. Provided always, That if the name of any member who shall have given his vote at the election so complained of as aforesaid,

aforesaid, or who shall be a petitioner complaining of an undue or complain-
election or return, or against whose return a petition shall be then ants,
depending, or whose return shall not have been brought in four-
teen days, shall be drawn; his name shall be set aside, with the to be set aside.
names of those who are absent from the house.

VII. Provided also, That if the name of any member of sixty All above 60
years of age or upwards be drawn, he shall be excused from serv- years old ex-
ing on the select committee, to be appointed as herein after is cused,
mentioned, if he require it, and verify the cause of such requi-
sition upon oath.

VIII. Provided also, That if the name of any member who has or those who
served in such select committee during the same session be drawn, have served on
he shall, if he requires it, be excused from serving again in any select comit-
such select committee, unless the house shall, before the day ap- tee in the same
pointed for taking the said petition into consideration, have re- session,
solved, that the number of members who have not served on unless the
such select committee, in the same session, is insufficient to fulfil number who
the purposes of this act, respecting the choice of such select com- have not served,
mittee. be insuf-
ficient.

IX. Provided always, That no member who, after having been Members ex-
appointed to serve in any such select committee, shall, on ac- cused, shall not
count of inability or accident, have been excused from attending be deemed to
the same throughout, shall be deemed to have served on any have served.
such select committee.

X. And be it further enacted, That if any other member shall Members ve-
offer and verify upon oath any other excuse, the substance of rifying other
the allegations so verified upon oath shall be taken down by the excuses, Alle-
said clerk, in order that the same may be afterwards entered on gations to be
the journals, and the opinion of the house shall be taken there- entered;
on; and if the house shall resolve, that the said member is un- and, if the
able to serve, or cannot without great and manifest detriment house resolve
serve in such select committee, he also shall be excused from that they are
such service. unable, &c.
are to be ex-
cused;

XI. And be it further enacted, That instead of the members instead of
so set aside and excused, the names of other members shall be whom, others
drawn; who may, in like manner, be set aside or excused, and to be drawn to
others drawn to supply their places, until the whole number of complete the
forty-nine members, not liable to be so set aside or excused, shall number 49,
be complete; and the petitioners or their agents shall then name &c.
one, and the sitting members, or their agents, another, from a- Petitioners
mong the members then present, whose names shall not have may name
been drawn, to be added to those who shall have been so chosen one, and sit-
by lot. ting mem-
bers another,
who may for
like causes be
set aside,
or excused;
and others
named.

XII. Provided always, That either of the members so nomi-
nated shall or may be set aside, for any of the same causes as those
chosen by lot; or shall, if he requires it, be excused from serving
on the said select committee; and the party who nominated the
member so set aside, or excused, shall nominate another in his
stead, and so continue to do as often as the case shall happen,
until his nominee is admitted.

XIII. And be it further enacted, That as soon as the said for-
ty

Door to be opened, and the house may proceed on other business. Lists of the 49 to be then given to the petitioners, &c.

who, with the clerk, are to withdraw, and to strike off one, alternately, till the number be reduced to 13. clerk, within one hour, to deliver a list of them; and they, with the nominees, shall be sworn a select committee.

house to order them to meet in 24 hours.

On withdrawing, the members not to depart till meeting of committee be fixed.

Petitioner, &c. declaring that any member drawn is intended for a nominee, and member consenting thereto, he is to serve as such, and another to be drawn to supply his place; but, on neglect of nomination, deficiencies to be supplied by lot;

ty nine members shall have been so chosen by lot, and the two members to be added thereunto shall have been so nominated as aforesaid, the door of the house shall be opened, and the house may proceed upon any other business; and lists of the forty-nine members so chosen by lot shall then be given to the petitioners, their counsel or agents, and the counsel or agents for the sitting members, who shall immediately withdraw, together with the clerk appointed to attend the said select committee; and the said petitioners and sitting members, their counsel or agents, beginning on the part of the petitioners, shall alternately strike off one of the said forty-nine members, until the said number shall be reduced to thirteen; and the said clerk, within one hour at farthest from the time of the parties withdrawing from the house shall deliver in to the house the names of the thirteen members then remaining; and the said thirteen members, together with the two members nominated as aforesaid, shall be sworn at the table, well and truly to try the matter of the petition referred to them, and a true judgement to give according to the evidence; and shall be a select committee to try and determine the merits of the return or election appointed by the house to be that day taken into consideration; and the house shall order the said select committee to meet at a certain time to be fixed by the house, which time shall be within twenty-four hours of the appointment of the said select committee, unless a *Sunday* or *Christmas* day shall intervene; and the place of their meeting and sitting shall be some convenient room or place adjacent to the house, of commons or court of requests, properly prepared for that purpose.

XIV. Provided always, That on the parties withdrawing as aforesaid, the house shall continue sitting; and the said fifty-one members, so chosen and nominated, shall not depart the house, till the time for the meeting of the said select committee shall be fixed.

XV. Provided always, and be it further enacted, That if upon the drawing out the name of any member by lot as aforesaid, the said petitioners or sitting members, or their agents, shall declare, that such member is intended to be one of the two nominees to be nominated by them respectively, and if such member shall consent to such nomination, the name of such member so drawn by lot shall be set aside, and, unless objected to as aforesaid, he shall serve as such nominee, and the name of another member shall be drawn to supply his place, to complete the number of forty-nine members to be drawn by lot; and if the said petitioners or sitting members, or their agents, shall not respectively nominate a member then present, who shall be admitted according to the directions of this act, then the want of such nomination shall be supplied, by drawing out, instead thereof, the name of one or two members, as the case shall require; who shall be drawn by lot in the like manner, and subject to the like objections and excuses, as the other forty-nine members already drawn by lot, and shall be added to the lists of the said forty-nine members, and shall be liable to be struck off in the same manner; leaving

ing always the number of fifteen members in the whole, and no more, as a select committee for the purposes aforesaid.

XVI. And, for the greater dispatch and certainty in the proceeding herein before described; be it further enacted, That the names of all the members so written and rolled up as herein before directed, shall, previous to the day appointed for taking any such petition into consideration, be prepared by the said clerk or clerk assistant, and by him put into a box or parcel in the presence of the speaker, together with an attestation, signed by the said clerk or clerk assistant, purporting, that the names of all the members were by him put therein the day of _____ in the year _____ which said box or parcel the speaker shall seal with his own seal; and to the outside thereof shall annex an attestation signed by himself, purporting, that the said box or parcel was on the day of _____ made up in his presence, in the manner directed by this act; and that as soon as the parties shall be withdrawn as aforesaid, and before the house shall enter on any other business, any member may require, that the names of all the members, which remain undrawn, shall be drawn and read aloud by the said clerk or clerk assistant.

XVII. And be it further enacted, That the said select committee shall, on their meeting, elect a chairman from among such of the members thereof as have been chosen by lot; and if, in the election of a chairman, there be an equal number of voices, the member whose name was first drawn in the house shall have a casting voice; so likewise, in case there should ever be occasion for electing a new chairman, on the death or necessary absence of the chairman first elected.

XVIII. And be it further enacted, That the said select committee shall have power to send for persons, papers and records; and shall examine all the witnesses who come before them upon oath; and shall try the merits of the return, or election, or both; and shall determine, by a majority of voices of the said select committee, whether the petitioners or the sitting members, or either of them, be duly returned or elected, or whether the election be void; which determination shall be final between the parties to all intents and purposes: and the house, on being informed thereof by the chairman of the said select committee, shall order the same to be entered in their journals, and give the necessary directions for confirming or altering the return, or for the issuing a new writ for a new election, or for carrying the said determination into execution, as the case may require.

XIX. And be it further enacted, That the said select committee shall sit every day (*Sunday* and *Christmas* day only excepted) and shall never adjourn for a longer time than twenty-four hours, unless a *Sunday* or *Christmas* day intervene, without leave first obtained from the house, upon motion, and special cause assigned for a longer adjournment; and in case the house shall be sitting at the time to which the said select committee is adjourned, stayed,

leaving always
as a select
committee.

Previous to
taking peti-
tion into con-
sideration,
clerk to put
the names of
the members
drawn into a
box or parcel,
and attest the
same;

speaker to seal
the same, and
attest the mak-
ing up thereof
in his presence.

Names of
members un-
drawn may be
read by the
clerk.

Chairman to
be elected out
of members
chosen by lot;
and in case of
equality in
election,
member first
drawn to have
a casting voice.

Select com-
mittee im-
powered to
send for per-
sons, &c.
examine wit-
nesses, and
determine
finally.

House there-
upon to con-
firm, or alter,
the return;
or issue a writ
for new elec-
tion.

Select com-
mittee not to
adjourn for
more than 24
hours, without
leave.

If house then
sitting, busi-
ness to be
journed, stayed,

and motion made for farther adjournment.

Sunday or Christmas day intervening not to be deemed included.

Select committee-man not to absent without leave, nor committee to sit, till all, who have not leave, be met.

On failure of meeting within one hour, a farther adjournment to be made, and

Chairman, at next meeting, to report absentees, who are to be directed to attend next sitting; and censured or punished at discretion, unless absence proved unavoidable.

If 13 do not attend, committee to adjourn;

if less for 3 days,

then to be dissolved and another chosen; and past proceedings to be void.

Resolutions of committee, other than determination of complaint,

journed, then the business of the house shall be stayed, and a motion shall be made for a further adjournment, for any time, to be fixed by the house, not exceeding twenty four hours, unless a *Sunday* or *Christmas* day intervene.

XX. And be it further enacted, That where the time prescribed by this act for the meeting, sitting, or adjournment of the said select committee, shall, by the intervention of a *Sunday* or *Christmas* day, exceed twenty four hours, such meeting, sitting, or adjournment, shall be within twenty four hours from the time of appointing or fixing the same, exclusive of such *Sunday* or *Christmas* day.

XXI. And be it further enacted, That no member of the said select committee shall be allowed to absent himself from the same, without leave obtained from the house, or an excuse allowed by the house at the next sitting thereof, on special cause shewn and verified upon oath; and the said select committee shall never sit, until all the members to whom such leave has not been granted, nor excuse allowed, are met; and in case they shall not all meet within one hour after the time to which the said select committee shall have been adjourned, a farther adjournment shall be made in the manner as before directed, and reported, with the cause thereof, to the house.

reported with the cause thereof.

XXII. And be it further enacted, That the chairman of the said select committee shall, at the next meeting of the house, always report the name of every member thereof who shall have been absent therefrom without such leave or excuse as aforesaid; and such member shall be directed to attend the house at the next sitting thereof, and shall then be ordered to be taken into the custody of the serjeant at arms attending the house, for such neglect of his duty, and otherwise punished or censured at the discretion of the house; unless it shall appear to the house, by facts specially stated and verified upon oath, that such member was, by a sudden accident, or by necessity, prevented from attending the said select committee.

XXIII. And be it further enacted, That if more than two members of the said select committee shall on any account be absent therefrom, the said select committee shall adjourn in the manner herein before directed; and so, from time to time, until thirteen members are assembled.

XXIV. And be it further enacted, That in case the number of members able to attend the said select committee shall, by death or otherwise, be unavoidably reduced to less than thirteen, and shall so continue for the space of three sitting days, the said select committee shall be dissolved, and another chosen to try and determine the matter of such petition in manner aforesaid; and all the proceedings of the said former select committee shall be void and of no effect.

XXV. And be it further enacted, That if the said select committee shall come to any resolution other than the determination above mentioned, they shall, if they think proper, report the same

same to the house for their opinion, at the same time that the chairman of the said select committee shall inform the house of such determination; and the house may confirm or disagree with such resolution, and make such orders thereon, as to them shall seem proper.

may be reported, and the house may make order thereon.

XXVI. Provided always, That if any person summoned by the said select committee, shall disobey such summons; or if any witness before such select committee shall prevaricate, or shall otherwise misbehave in giving, or refusing to give evidence; the chairman of the said select committee, by their direction, may at any time, during the course of their proceedings, report the same to the house, for the interposition of their authority or censure, as the case shall require.

Persons disobeying summons, or prevaricating,

to be reported by the chairman.

XXVII. And be it further enacted, That whenever the said select committee shall think it necessary to deliberate amongst themselves, upon any question which shall arise in the course of the trial, or upon the determination thereof, or upon any resolution concerning the matter of the petition referred to them as aforesaid; as soon as the said select committee shall have heard the evidence and counsel on both sides relative thereunto, the room or place wherein they shall sit shall be cleared, if they shall think proper, while the members of the said select committee consider thereof; and all such questions, as well as such determination and all other resolutions, shall be by a majority of voices; and if the voices shall be equal, the chairman shall have a casting voice.

When committee chuse to deliberate, the room to be cleared.

Questions to be determined by majority. Chairman to have a casting vote.

XXVIII. Provided always, That no such determination as aforesaid shall be made, nor any question be proposed, unless thirteen members shall be present; and no member shall have a vote on such determination, or any other question or resolution, who has not attended during every sitting of the said select committee.

Nodetermination, unless 13 be present; nor any member to vote, who has not attended every sitting.

XXIX. And be it further enacted, That the oaths by this act directed to be taken in the house, shall be administered by the said clerk or clerk assistant, in the same manner as the oaths of allegiance and supremacy are administered in the house of commons; and that the oaths by this act directed to be taken before the said select committee, shall be administered by the clerk attending the said select committee; and that all persons who shall be guilty of wilful and corrupt perjury in any evidence which they shall give before the house, or the said select committee, in consequence of the oath which they shall have taken by the direction of this act, shall, on conviction thereof, incur and suffer the like pains and penalties to which any other person, convicted of wilful and corrupt perjury, is liable by the laws and statutes of this realm.

Oath taken in the house, to be administered by the clerk; and those before the select committee, by the clerk. Penalties on perjury extended thereto.

XXX. And be it further enacted, That this act shall continue in force seven years, and till the end of the session of parliament next after the expiration of the said seven years, and no longer.

Act to continue for 7 years.



C A P. XVII.

An act to repeal so much of an act made in the seventh year of his present Majesty's reign, intituled, An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation, from this kingdom, of coffee and cocoa nuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china earthen ware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations, as relates to the duties upon glass, red-lead, white-lead, painters colours, paper, paste-boards, mill-boards, and scale-boards, of the produce or manufacture of Great Britain, imported into any of his Majesty's colonies in America; and also to the discontinuing the drawbacks payable on china earthen-ware, exported to America; and for regulating the exportation thereof.

Preamble, re-
citing
Act 7 Geo. 3.

WHEREAS in and by an act passed in the seventh year of his Majesty's reign, intituled, An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation, from this kingdom, of coffee and cocoa nuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china earthen-ware imported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations, it was, amongst other things enacted, That there should be raised, levied, collected, and paid unto his Majesty, his heirs, and successors, certain duties upon glass, red-lead, white-lead, painters colours, and upon the several sorts of paper therein mentioned; as also upon all paste-board, mill-board and scale-board, which should be imported into any colony or plantation in America, under the dominion of his Majesty, his heirs and successors: and whereas the said duties, in so far as they affect the produce and manufacture of Great Britain, do in their nature tend to the prejudice and discouragement thereof, and are therefore contrary to the true principles of commerce: may it therefore please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of December, one thousand seven hundred and seventy, so much of the said before-recited act as relates to the duties thereby granted upon the respective goods herein before mentioned, such goods being of the produce and manufacture of Great Britain, shall, in respect of all such of the said goods as are of the produce and manufacture of Great Britain,

After Dec. 1,
1770,

tain, be, and the same is hereby repealed and made void to all repealed. intents and purposes whatsoever.

II. And whereas, in and by the said before-recited act, it was also further enacted, that no drawback shall be allowed for any china earthen-ware, sold after the passing of that act at the sale of the united company of merchants of England trading to the East Indies, which shall be entered for exportation from Great Britain to any part of America: and whereas the allowing the said drawback, under certain restrictions, may encourage and secure the immediate trade of this kingdom with the British colonies and plantations in America; be it therefore enacted by the authority aforesaid, That from and after the first day of December, one thousand seven hundred and seventy, the said clause in the before-recited act of the seventh year of his Majesty's reign, discontinuing the said drawback payable upon china earthen-ware exported to America, shall be, and the same is hereby declared to be repealed and made void.

III. Provided always, and it is hereby further enacted by the authority aforesaid, That from and after the said first day of December, no drawback shall be paid or allowed for any china earthen-ware, exported or entered for exportation from this kingdom, to any place whatsoever, unless the same shall be packed up in the presence of a proper officer or officers of the customs appointed for that purpose, in some warehouse belonging to the united company of merchants trading to the East Indies wherein the same shall have been lodged at importation, and shall be sent to be exported directly from such warehouse, under the seal and care of such officer or officers of the customs; any law, custom, or usage to the contrary notwithstanding.

C A P. XVIII.

An act for preventing the stealing of dogs.

WHEREAS the practice of stealing dogs hath of late years greatly increased: for remedy whereof, may it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of May, one thousand seven hundred and seventy, if any person shall steal any dog or dogs, of any kind or sort whatsoever, from the owner or owners thereof, or from any person or persons intrusted by the owner or owners thereof with such dog or dogs; or shall sell, buy, receive, sell, buy, or harbour, detain, or keep, any dog or dogs of any kind or sort whatsoever, knowing the same to have been stolen as aforesaid; every such person, upon being convicted thereof upon the oath of one or more credible witness or witnesses, or by his or her own confession, before any two or more justices of the peace for any county, riding, division, or place, shall, for the first offence, forfeit and pay such sum of money not exceeding thirty pounds, nor less than twenty pounds, as to such justices shall seem meet, together with the charges previous to and attending such conviction, for first offence to forfeit not less than 20l. and charges of conviction.

Till penalty and charges are paid, offenders to be committed to gaol.

Person guilty of a subsequent offence, to forfeit not less than 30*l.* and charges;

to be paid to informer, and the poor.

On non-payment, to be imprisoned 12 months, and publicly whipped.

Justices to grant warrants to search for dogs stolen.

Persons in whose custody found, liable to like penalties.

Justices may cause to be drawn up the following

tion, to be ascertained by such justices before whom such offender shall be convicted: and in case such penalty shall not be forthwith paid, such justices shall commit the offender to the common gaol, or house of correction, there to remain without bail or mainprize for any time not exceeding twelve calendar months, nor less than six calendar months, or until the penalty and charges shall be paid: and if any person having been convicted as aforesaid, shall afterwards be guilty of the like offence, and shall be thereof convicted in like manner as aforesaid; every such person shall, for every such offence, forfeit and pay such sum of money, not exceeding fifty pounds, nor less than thirty pounds, as to such justices shall seem meet, together with the charges previous to and attending such conviction, to be ascertained by such justices before whom such offender or offenders shall be so convicted: which said penalties, or any of them, when recovered, shall be paid, one moiety thereof to the informer, and the other moiety to the poor of the parish where the offence shall be committed; and, upon nonpayment thereof, such justices shall commit the offender to the common gaol or house of correction, there to remain without bail or mainprize for any time not exceeding eighteen months, nor less than twelve months, or until the penalty and charges shall be paid; and such justices shall also order the said offender to be publicly whipped, within three days after such commitment, in the town wherein such gaol or house of correction shall be, between the hours of twelve and one of the clock.

II. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any one or more of his Majesty's justices of the peace in or for any county, riding, division, or place, upon information to him or them made for that purpose, to grant a warrant or warrants to search for any dog or dogs stolen as aforesaid, and in case any such dog or dogs, or the skin or skins of such dog or dogs, shall upon such search be found, to take and restore every such dog or dogs, or such skin or skins, to the owner thereof; and the person or persons, in whose custody or possession any such dog or dogs, skin or skins, shall be so found (in case it shall appear that such person was privy to such dog or dogs having been stolen as aforesaid, or that such skin or skins was the skin or skins of any dog or dogs stolen as aforesaid) shall respectively be subject and liable to the like penalties and punishments as persons convicted of stealing any dog or dogs are herein before made subject and liable to.

III. And, for the more easy and speedy conviction of offenders against this act, be it further enacted, That all justices of the peace, before whom any person or persons shall be convicted of any offence against this act, shall and may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect, as the case shall happen; *videlicet*,

BE it remembered, That on the
day of

in the year of our Lord
A B is convicted before us
of his Majesty's justices of the peace for

Form of con-
viction.

the county of

(specifying the offence, and the time and place when and where
the same was committed, as the case shall be)

Given under our hands and seals the day and year
aforesaid.

IV. Provided always, and be it further enacted, That if any person shall think himself or herself aggrieved by any thing done in pursuance of this act, such person may appeal to the justices of the peace at the next general quarter-session of the peace to be held for the county or place wherein the cause of complaint shall arise, and within four days after the cause of such complaint shall have arisen; such appellant giving, or causing to be given, fourteen days notice at least, in writing, of his or her intention to bring such appeal, and of the matter thereof, to the persons whose acts are complained against, and, within two days after such notice, entering into a recognizance before some justice of the peace for such county or place, with two sufficient sureties, conditioned to try such appeal, and abide the order of, and to pay such costs as shall be awarded by, the justices at such quarter-session: and the said justices at such session, upon due proof of such notice being given as aforesaid, and of the entering into such recognizance, shall hear and finally determine the causes and matters of such appeal in a summary way, and award such costs to the parties appealing, or appealed against, as they the said justices shall think proper; and the determination of such quarter-sessions shall be final, binding, and conclusive to all intents and purposes; and no order made concerning any of the matters aforesaid, or any other proceedings to be had touching the conviction or convictions of any offender against this act, shall be quashed for want of form, or be removed by *Certiorari*, or any other writ or process whatsoever, into any of his Majesty's courts of record at *Westminster*.

Persons ag-
grieved may
appeal to
quarter-
sessions.

Fourteen days
notice of ap-
peal to be
given.

Justices to
hear, deter-
mine,
and award
costs.

Their deter-
mination to
be final;

and not be re-
moved by *Cer-
tiorari*.

C A P. XIX.

*An act for better preservation of the game, within that part
of Great Britain called England.*

WHEREAS the game hath of late been much destroyed at improper seasons, in that part of Great Britain called Eng-
land: for remedying thereof, may it please your most excellent Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty fourth day of June, one thousand seven

Preamble.

After June 24,
1770, persons
killing any

hare, &c. between sun-setting and sun-rising;

or using any gun or engine for destroying game;

for 1st offence, to be imprisoned not less than 3 months.

For other offence, not less than 6 months;

and for each to be publicly whipped.

Offenders on Sunday, using a gun or engine for destroying game,

on conviction, to forfeit 20l.

to be levied by distress, with charges;

and be applied to informer and the poor.

For want of distress, offender to be committed.

seven hundred and seventy, if any person or persons shall wilfully, upon any pretence whatsoever, take, kill, or destroy any hare, pheasant, partridge, moor game, heath game, or grouse, in the night, between one hour after sun-setting, and one hour before sun-rising; or use any gun, dog, snare, net, or other engine for taking, killing, or destroying any hare, pheasant, partridge, moor game, heath game, or grouse, in the night as aforesaid, and shall be convicted thereof upon the oath or oaths of one or more credible witness or witnesses, before any one or more justice or justices of the peace, for any county, riding, division or place; every such person shall, for the first offence, be committed to the common gaol or house of correction, there to remain, without bail or mainprize, for any time not exceeding six calendar months, nor less than three calendar months: and if any person, having been once convicted of such offence, shall afterwards be guilty of the like offence, and be thereof convicted in manner aforesaid; every such person shall, for every such offence, be committed to the common gaol, or house of correction, there to remain, without bail or mainprize, for any time not exceeding twelve calendar months, nor less than six calendar months; and shall also, within three days from the time of his commitment, either for the first or any other offence, be once publicly whipped in the town where such gaol or house of correction shall be, between the hours of twelve and one of the clock in the day.

II. And be it further enacted by the authority aforesaid, That from and after the said twenty fourth day of *June*, one thousand seven hundred and seventy, if any person or persons shall, upon a *Sunday*, take, kill, or destroy, any hare, pheasant, partridge, moor game, heath game, or grouse: or shall upon a *Sunday* use any gun, dog, snare, net, or other engine for taking, killing, or destroying any hare, pheasant, partridge, moor game, heath game, or grouse; every such person, being convicted thereof upon the oath or oaths of any one or more credible witness or witnesses, before one or more justice or justices of the peace for any county, riding, division, or place, shall forfeit and pay any sum not exceeding thirty pounds, nor less than twenty pounds, as to such justice or justices shall seem meet: and in case such penalty shall not be forthwith paid, such justice or justices shall by warrant under his or their hand and seal, or hands and seals, cause the same to be levied by distress and sale of the offender's goods and chattels, together with all costs and charges attending such distress and sale; and the forfeitures, when paid or recovered as aforesaid, shall be applied, one moiety to the informer, and the other moiety to the poor of the parish where such offence shall have been committed; and in case no sufficient distress can be had, such justice or justices shall commit the offender to the common gaol or house of correction, there to remain without bail or mainprize for any time not exceeding six calendar months, nor less than three calendar months.

III. *And, for the more easy and speedy conviction of offenders against*

gainst this act, be it further enacted, That all and every the justice or justices of the peace, before whom any person or persons shall be convicted of any offence against this act, shall and may cause the conviction to be drawn up in the following form of words, or in any form of words to the same effect, as the case shall happen; *videlicet*,

Justice may
cause to be
drawn up the
following

BE it remembered, That on the
day of

in the year of our Lord

Form of con-
viction.

A B is convicted before me

C D, one of his Majesty's justices of the peace for the county of

(specifying the offence, and time and place when and where the same was committed, as the case shall be).

Given under my hand and seal the day and year
aforesaid.

IV. Provided always, and be it further enacted, That if any person shall think himself or herself aggrieved, by any thing done in pursuance of this act, such person may appeal to the justices of the peace, at the next general quarter-session of the peace, to be held for the county or place wherein the cause of complaint shall arise, and within four days after the cause of such complaint shall have arisen; such appellant giving, or causing to be given, fourteen days notice at least, in writing of his or her intention to bring such appeal, and of the matter thereof, to the person or persons whose acts are complained against; and within two days after such notice, entering into recognizance before some justice of the peace for such county or place, with two sufficient sureties, conditioned to try such appeal, and abide the order of, and to pay such costs as shall be awarded by the justices at such quarter-session; and the said justices at such session, upon due proof of such notice being given as aforesaid, and of the entering into such recognizance, shall hear and finally determine the causes and matters of such appeal, in a summary way, and award such costs to the parties appealing, or appealed against, as they the said justices shall think proper; and the determination of such quarter-session shall be final, binding, and conclusive, to all intents and purposes; and no order made concerning any of the matters aforesaid, or any other proceedings to be had, touching the conviction or convictions of any offender against this act, shall be quashed for want of form, or be removed by *Certiorari*, or any other writ or process whatsoever, into any of his Majesty's courts of record at Westminster.

Persons ag-
grieved may
appeal to the
quarter-
sessions;

giving 14
days notice
to persons
complained
against.

Justices to
hear, deter-
mine, and
award costs.

Determina-
tion to be
final,

and not to be
removed by
Certiorari.

C A P. XX.

An act for the more easy and speedy recovery of small debts within the borough of King's Lynn, and the liberties thereof.

CAP. XXI.

An act for the more easy and speedy recovery of small debts, within the parishes of Poulton, Kirkham, Lytham, and Bispham, and townships of Preefall and Stalmine, in the county palatine of Lancaster.

CAP. XXII.

An act for better supplying the city of Worcester, and the liberties thereof, with water; and for the better paving and lighting the said city; and for removing and preventing all obstructions and annoyances therein.

CAP. XXIII.

An act for the more effectually paving, repairing, cleansing, and lighting, the streets, squares, lanes, and other passages, and for regulating weights and measures, within the parish of Saint Mary le Bone, in the county of Middlesex; and for other purposes therein mentioned.

CAP. XXIV.

An act for further continuing the duties granted and continued by several acts made in the sixth and tenth years of the reign of Queen Anne, and in the seventh year of the reign of King George the First, for repairing the harbour and key of Watchett, in the county of Somerset.

CAP. XXV.

An act for the better paving, repairing, and cleansing, the streets, and other publick passages, in the several parishes and wards of Saint Michael, Saint John, Holy Rhood, Saint Lawrence, All Saints within the Bar, All Saints without the Bar, and East Street and Bag-row, within the town of Southampton, and liberties thereof; and for preventing nuisances and annoyances therein; and for widening and rendering the same more commodious; and for the lighting and watching the said streets and publick passages.

CAP. XXVI.

An act for further continuing the terms and powers, granted and continued by three acts passed in the twelfth and thirteenth years of William the Third, the tenth of Queen Anne, and in the eleventh year of his late Majesty George the Second, for recovering, securing, and keeping in repair, the harbour of Minehead, in the county of Somerset, and for the more effectual carrying the said acts into execution; and also for the better securing the ancient dues payable to the lord or lady of the manor of Minehead for the time being.

CAP. XXVII.

An act to enlarge the powers of an act of the twenty-fourth year of his late Majesty, for making the river Nar navigable, from the town and port of King's Lynn to Westacre in the county of Norfolk, and for making the said act more effectual.

CAP. XXVIII.

An act for rebuilding the common gaol of the county of Essex.

CAP. XXIX.

An act to explain, amend, and make more effectual, an act passed in the fifth year of his Majesty's reign, intituled, *An act for the more easy and speedy recovery of small debts within the hundreds of Blackheath,*
of

of Bromley and Beckenham, of Rokeley otherwise Ruxley, and Little and Lessness, in the county of Kent; and one other act passed in the sixth year of his Majesty's reign, for extending the provisions of the said act to the hundred of Wallington, in the county of Surrey.

C A P. XXX.

An act for rectifying a mistake in an act made in the last session of parliament, intituled, An act for better securing the duties of customs upon certain goods removed from the out ports and other places to London; for regulating the fees of the officers of his Majesty's customs in the province of Senegambia in Africa; for allowing to the receivers-general of the duties on offices and employments in Scotland, a proper compensation for their trouble and expences; for the better preservation of hollies, thorns, and quicksets, in forests, chaces, and private grounds, and of trees and underwoods in forests and chaces; and for authorising the exportation of a limited quantity of an inferior sort of barley, called Bigg, from the port of Kirkwall in the islands of Orkney.

WHEREAS in an act passed in the last session of parliament, *intituled, An act for better securing the duties of customs upon certain goods removed from the out ports and other places to London; for regulating the fees of the officers of his Majesty's customs in the province of Senegambia in Africa; for allowing to the receivers-general of the duties on offices and employments in Scotland, a proper compensation for their trouble and expences; for the better preservation of hollies, thorns, and quicksets, in forests, chaces, and private grounds, and of trees and underwoods in forests and chaces; and for authorising the exportation of a limited quantity of an inferior sort of barley, called Bigg, from the port of Kirkwall in the islands of Orkney, an act made in the sixth year of his present Majesty's reign, therein intended to be recited and extended, is, by mistake, intituled, An act for the better preservation of roots, shrubs, and plants, instead of being intituled, An act for the better preservation of timber trees, and of woods and underwoods, and for the further preservation of roots, shrubs, and plants: now, for rectifying the said mistake, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act of the sixth year of his present Majesty's reign shall, notwithstanding such mistake in reciting the title thereof, made in the said act of the last session of parliament, be taken, deemed, and adjudged nevertheless to be meant thereby, and confirmed and extended accordingly, as*

Preamble.

Acts 9 Geo. 3.

and 6 Geo. 3.

confirmed and extended.

to all and every the several clauses, powers, authorities, penalties, forfeitures, provisions, matters and things in the said acts or either of them contained, in the same manner, to all intents, constructions, and purposes whatsoever, as if the said mistake had never been made or happened, and the title of the said act of the sixth year of his present Majesty's reign, had at first been truly recited in the said act of the last session of parliament; any law or usage to the contrary in any wise notwithstanding.

C A P. XXXI.

An act for extending like liberty, in the exportation of rice from East and West Florida to the Southward of Cape Finisterre in Europe, as is granted, by former acts of parliament, to Carolina and Georgia.

Preamble.

WHEREAS the granting the like liberty, to export rice in the same manner from his Majesty's colonies of East and West Florida to the southward of Cape Finisterre in Europe, as is granted, by former acts of parliament, to the provinces of Carolina and Georgia, may be of great benefit to the said colonies of East and West Florida; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the first day of *August*, one thousand seven hundred and seventy, it shall and may be lawful for any of his Majesty's subjects, in any ship or vessel built in *Great Britain*, or in his Majesty's colonies in *America*, or belonging to any of his Majesty's subjects, and navigated according to law, that shall clear outwards in any port of *Great Britain* for the province of *East or West Florida*, or in any port thereof, to ship or load rice in such province, and to carry the same directly to any port southward of *Cape Finisterre in Europe*, without carrying the same to any other of his Majesty's plantations in *America*, or to *Great Britain*; under the like entries, securities, restrictions, regulations, limitations, duties, penalties, and forfeitures, as are particularly described, appointed, limited, or enacted for that purpose, in and by an act passed in the third year of the reign of his late majesty King *George the Second*, intituled, *An act for granting liberty to carry rice, from his Majesty's province of Carolina in America directly to any part of Europe southward of Cape Finisterre, in ships built in and belonging to Great Britain, and navigated according to law*, as fully and effectually, to all intents and purposes, as if the several clauses, powers, directions, penalties, and forfeitures relating thereto, were particularly repeated and again enacted in the body of this present act.

II. And be it further enacted by the authority aforesaid, That this act shall continue and be in force until the twenty-ninth day

After August
3, 1770,

Rice may be
exported from
the Floridas to
the southward
of Cape Finis-
terre, under
like regula-
tions as from
Carolina,

by act 3
Geo. 2.

This act to
continue in

day of September one thousand seven hundred and seventy-four, force till and from thence to the end of the then next session of par- Sep. 29, 1774. liament.

C A P. XXXII.

An act for defraying the expence of building the new office of excise in London, out of his Majesty's revenue of excise.

WHEREAS by an act passed in the eighth year of his Majesty's reign, intituled, An act for carrying into execution reciting act an agreement made between the mayor and commonalty and 8 Geo. 3. citizens of the city of London, and the wardens and common-

alty of the mystery of mercers of the said city, and Stamp Brooksbank esquire, secretary to the commissioners of his Majesty's revenue of excise, for the purchase of Gresham College, and the ground and buildings thereunto belonging, and for vesting the same unalienably in the crown, for the purpose of erecting and building an excise office there, and for other purposes therein mentioned; it is, amongst other things, enacted, that the mayor and commonalty and citizens of the city of London, and the wardens and commonalty of the mystery of mercers of the city of London, shall, within a time therein limited, pay or cause to be paid unto the receiver-general of his Majesty's duties of excise, the sum of one thousand eight hundred pounds, for and towards the expence of pulling down the said college, and the building an excise office there; and that the receipt of such receiver-general shall be a sufficient discharge for the same: and whereas a considerable expence, over and above the said sum of one thousand eight hundred pounds, has already been incurred, and must necessarily be further incurred in erecting and building such office for the managing and conducting the business of his Majesty's revenue of excise; and doubts have arisen, whether the commissioners of his Majesty's treasury, or the high treasurer for the time being, are sufficiently authorized by law to direct money arising out of his Majesty's revenue of excise, and in the hands of the commissioners of excise, or of any officers belonging to them, to be applied for or towards payment of the said expences: now, for settling such doubts, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the commissioners of his Majesty's treasury, or the high treasurer for the time being, and they are hereby authorized by their warrant or warrants, from time to time, to require and direct the commissioners of his Majesty's revenue of excise for the time being to pay, or cause to be paid, out of the money in their hands, or in the hands of their officers, all such sums as shall be so required and directed by such warrant or warrants to be paid, on account of the charge and expence already incurred and to be incurred in erecting and building the said office of excise; and the money so paid, in pursuance

Treasury im-
powered to
direct the
commissioners
of excise to
defray the ex-
pence of
building new
excise office;

which shall be
of allowed them

CAP. XXXV.

An act to enable the governor, council, and assembly of his Majesty's colony of New York, to pass an act of assembly for creating and issuing upon loan paper bills of credit to a certain amount; and to make the same a legal tender in payments into the loan offices and treasury of the said colony.

Preamble, re-
citing act 4
Geo. 3.

WHEREAS by an act passed in the fourth year of his present Majesty's reign, intituled, An act to prevent paper bills of credit hereafter to be issued in any of his Majesty's colonies or plantations in America, from being declared to be a legal tender in payments of money, and to prevent the legal tender of such bills as are now subsisting, from being prolonged beyond the periods limited for calling in and sinking the same, it is enacted, That from and after the first day of September, one thousand seven hundred and sixty-four, no order, resolution, or vote of assembly, in any of his Majesty's colonies or plantations in America, shall be made for creating or issuing any paper bills, or bills of credit of any kind or denomination whatsoever, declaring such paper bills or bills of credit to be legal tender in payment of any bargains, contracts, debts, dues, or demands whatsoever; and every clause and provision which shall hereafter be inserted in any act, order, or resolution, or vote of assembly, contrary to this act, shall be null and void: and whereas it is, at this time, necessary for the public service of the colony of New York, that provision should be made for creating and issuing one hundred and twenty thousand pounds, current money of New York, in paper bills of credit, to be received as a legal tender by the loan officers of the said colony, for and during the term of fourteen years; and in the treasury of the said colony, for and during the said term, and for one year thereafter: and whereas doubts have arisen whether, under the terms of the said recited statute, such provision as aforesaid can lawfully be made: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful for the governor, council, and general assembly of the said colony, to pass an act of the said general assembly for creating and issuing a sum, not exceeding one hundred and twenty thousand pounds current money of New York, in bills of credit to be put out upon loan, to be legal tender in payment at the loan offices for and during the term of fourteen years; and in payment into the treasury of the said colony, for colony duties, for the said term and for one year thereafter; any thing in the afore-recited statute of the fourth year of his present Majesty's reign to the contrary thereof in any wise notwithstanding.

General assembly may pass an act for issuing 120,000 l. Currency, in bills of credit:

The same to be legal tender at the loan offices and treasury there for 14 years, &c.

CAP.

CAP. XXXVI.

An act for redeeming the capital or joint stock of annuities, after the rate of three pounds ten shillings per centum, established by an act made in the twenty-ninth year of the reign of his late majesty King George the Second, intituled, An act for granting to his Majesty the sum of two millions, to be raised by way of annuities and a lottery, and charged on the sinking fund, redeemable by parliament; and for extending to Ireland the laws made in this kingdom against private and unlawful lotteries.

Most gracious Sovereign,

WHEREAS *in pursuance of an act made in the twenty-ninth year of the reign of his late majesty King George the Second, intituled, An act for granting to his Majesty the sum of two millions, to be raised by way of annuities and a lottery, and charged on the sinking fund, redeemable by parliament; and for extending to Ireland the laws made in this kingdom against private and unlawful lotteries; the said sum of two millions was raised for the public service; and it was thereby further enacted, That the sum of one million five hundred thousand pounds, part of the said sum of two millions, on which annuities, after the rate of three pounds ten shillings per centum per annum were to be attending, should be deemed one capital or joint stock; and that at any time after the expiration of fifteen years, to be computed from the eleventh day of February one thousand seven hundred and fifty-six, and not sooner, upon six months notice to be printed in the London Gazette, and affixed upon the Royal Exchange in London, by authority of parliament; and upon repayment by parliament of the whole principal sum of one million five hundred thousand pounds, for which the said annuities were payable, to such respective persons or corporations as should be intitled to the same annuities; or upon the like repayment by parliament of any part of the said sum of one million five hundred thousand pounds, so as such part of the sum so paid at any one time be not less than five hundred thousand pounds; and also upon full payment of all arrearages of the same annuities, then, and not till then, the said annuities should cease and determine, and be understood to be redeemed; and that any vote or resolution of the house of commons, signified by the speaker in writing, to be inserted in the London Gazette, and affixed on the Royal Exchange in London, as aforesaid, should be deemed and adjudged to be sufficient notice within the words and meaning of the said act: and whereas your Majesty's most dutiful and loyal subjects, the commons of Great Britain in parliament assembled, have resolved, That the said sum of one million five hundred thousand pounds, being the amount of the said capital or joint stock of the annuities after the rate of three pounds ten shillings per centum, be redeemed and paid off on the twelfth day of February, one thousand seven hundred and seventy-*

Preamble.
reciting act
29 Geo. 2.

one

Notices given
by the speaker
to be deemed
good and suf-
ficient.

The following
sums to be
issued to the
bank, out of
the supplies
granted this
session, viz.
On or before
12 Feb. 1771,
1,500,000 l.
to be applied
in discharging
part of
1,000,000 l.
raised by act
29 Geo. 2.
and redeem-
ing attendant
annuities;

and so much
out of the
sinking fund,
by way of im-
prest,

as shall be ne-
cessary to dis-
charge the
annuities at-
tending on the
sum of
1,500,000 l.
from 5 Jan.
to 12 Feb. 1771,
inclusive.

one: and whereas the speaker of the house of commons did, in pursuance of a resolution of the said house in this session of parliament, give notice by writing, inserted in the London Gazette, and affixed upon the Royal Exchange in London, that the same will be paid off and redeemed on the twelfth day of February, one thousand seven hundred and seventy-one, agreeable to the power of redemption in the said act: therefore, your faithful commons, do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That such notices as aforesaid shall be, and be deemed, adjudged, and taken to be good and sufficient notice or notices within the true intent and meaning of the said act, for the redemption of the said capital or joint stock of annuities after the rate of three pounds ten shillings *per centum*, and the same shall be redeemable and redeemed accordingly.

II. And be it further enacted by the authority aforesaid, That on or before the said twelfth day of February, one thousand seven hundred and seventy-one, there shall and may be issued and paid to the governor and company of the bank of England, the sum of one million five hundred thousand pounds, out of all or any the aids or supplies granted in this session of parliament (except any particular aid or supply which hath been or shall be in the same session specially and intirely appropriated to any other particular use or purpose;) which sum shall be, by the said governor and company, applied and paid over for discharging the said principal sum of one million five hundred thousand pounds, part of the said sum of two millions, raised under the authority of the said act made in the twenty-ninth year of his late Majesty's reign, and for redeeming the said annuities after the rate of three pounds ten shillings *per centum*, attending on the same.

III. And be it further enacted by the authority aforesaid, That on or before the said twelfth day of February, one thousand seven hundred and seventy-one, there shall and may, by order of the commissioners of the treasury, or any three or more of them, or the high treasurer for the time being, without any further or other warrant to be sued for, had, or obtained in that behalf, be issued and paid at the receipt of his Majesty's exchequer, to the governor and company of the bank of England, by way of imprest, and upon account, out of the surplusses, excesses, or overplus-monies, commonly called *The Sinking Fund*, such sum of money as shall be necessary for the discharge of the said annuities attending on the said sum of one million five hundred thousand pounds, from the fifth day of January, one thousand seven hundred and seventy-one, to the said twelfth day of February, one thousand seven hundred and seventy-one inclusive; which sum shall be applied by the said governor and company in discharge of such an-

nunities

nunities accordingly, at the same time that the respective principal monies, composing the said sum of one million five hundred thousand pounds, shall be paid and satisfied; and that all such annuities in respect of, or attending on the same, shall cease and be extinguished, from the said twelfth day of *February*, one thousand seven hundred and seventy-one.

Bank to apply the same accordingly, and annuities to cease.

IV. Provided always, and be it further enacted by the authority aforesaid, That if all or any part of the said principal monies, composing the said sum of one million five hundred thousand pounds capital and joint stock hereby intended to be redeemed, shall be paid and satisfied at the bank of *England* before the said twelfth day of *February*, one thousand seven hundred and seventy-one, the said governor and company shall notwithstanding the same pay, and they are hereby impowered to pay, in respect of the principal monies so discharged, the full sum which the said annuities attending the same would have amounted to on the said twelfth day of *February*, one thousand seven hundred and seventy-one; any thing herein, or in any other act contained to the contrary notwithstanding.

Annuities to be paid up to the day appointed for the redemption thereof.

V. Provided always, and be it further enacted and declared by the authority aforesaid, That nothing herein contained shall be deemed or construed to extend to any the annuities after the rate of three pounds *per centum per annum* attending on the sum of five hundred thousand pounds, being the residue of the said sum of two millions, raised by the said act made in the twenty-ninth year of his late Majesty, and thereby added to the joint stock of annuities after the rate of three pounds *per centum per annum*, transferrable at the bank of *England*, and not hereby intended to be redeemed; but that the same shall continue subject to a redemption by parliament, and charged and chargeable upon the said *Sinking Fund*; and shall be paid thereout in such manner as the same is now charged and payable, as if this act had never been made; any thing herein before contained to the contrary notwithstanding.

This act not to extend to the annuities attending the residue of the 2,000,000 l. raised by act 29 Geo. 2. &c.

VI. Provided also, and be it further enacted by the authority aforesaid, That the said governor and company, or any member thereof, shall not incur any disability or penalty for or by reason of his or their doing any matter or thing in pursuance of this act.

No member of the bank to incur any disability in respect of this act.

VII. And be it further enacted by the authority aforesaid, That if any person or persons shall, at any time or times, be sued, molested, or prosecuted for any thing by him or them done or executed in pursuance of this act, or of any matter or thing therein contained; such person or persons shall and may plead the general issue, and give the special matter in evidence for his and their defence: and if a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his or their action, or be nonsuited, or judgement shall be given against him or them upon demurrer or otherwise;

General issue.

Treble costs.

wife; then such defendant or defendants shall have treble costs to him or them awarded against such plaintiff or plaintiffs.

CAP. XXXVII.

An act for continuing so much of an act made in the third year of his present Majesty's reign, intituled, An act to continue and amend two acts made in the twenty-first and twenty-eighth years of his late Majesty's reign, for encouraging the making of indico in the British plantations in America; and for extending the provisions of an act of the thirtieth year of his late Majesty's reign, with respect to bringing prize goods into this kingdom, to Spanish prize goods taken since the late declaration of War with Spain, as relates to encouraging the making of Indico in the British plantations in America; and for explaining so much of an act made in the fifth year of his present Majesty's reign, as relates to the regulating the fees of the officers of the customs in America; and for extending the same to the naval officers there.

Preamble.

WHEREAS the law for encouraging the making of indico in the British plantations in America, is found to be very useful and beneficial to the publick, and is so near expiring, that it is fit it should be continued; be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the twenty-first year of the reign of his late majesty King George the Second, intituled, *An act for encouraging the making of indico in the British plantations in America*, which was to continue in force for seven years from the twenty-fifth day of *March*, one thousand seven hundred and forty-nine, and from thence to the end of the then next session of parliament; and which, by another act of the twenty-eighth year of his said late Majesty's reign, is further continued from the twenty-fifth day of *March*, one thousand seven hundred and fifty-six, until the twenty-fifth day of *March*, one thousand seven hundred and sixty-three, and from thence to the end of the then next session of parliament; and which, by another act made in the third year of the reign of his present Majesty, intituled, *An act to continue and amend two acts made in the twenty-first and twenty-eighth years of his late Majesty's reign, for encouraging the making of indico in the British plantations in America; and for extending the provisions of an act of the thirtieth year of his late Majesty's reign, with respect to bringing prize goods into this kingdom, to Spanish prize goods taken since the late declaration of war with Spain*, is further continued,

Act 21 Geo. 2.
for encouraging
the making of Indico
in America,

which was
continued by
several subsequent
acts,

from

from the expiration thereof, until the twenty-fifth day of *March*, one thousand seven hundred and seventy, and from thence to the end of the then next session of parliament; shall be, and the same, together with all the provisions, regulations, restrictions, powers, and clauses mentioned in the said last recited act of the third year of his present Majesty, so far as they relate to encouraging or concern the making of indico in the *British* plantations in *America*, is hereby further continued from the expiration thereof, until the twenty-fifth day of *March*, one thousand seven hundred and seventy-seven, and from thence to the end of the then next session of parliament. further continued to 25 March 1777.

II. *And whereas by an act passed in the fifth year of the reign of* A^ct 5 Geo. 3. *his present Majesty, intituled, An act for more effectually securing and encouraging the trade of his Majesty's American dominions; for repealing the inland duty on coffee, imposed by an act made in the thirty-second year of his late majesty King George the second; and for granting an inland duty on all coffee imported (except coffee of the growth of the British dominions in America;) for altering the bounties and drawbacks upon sugars exported; for repealing part of an act made in the twenty-third year of his said late Majesty, whereby bar iron, made in the said dominions, was prohibited to be exported from Great Britain, or carried coastwise; and for regulating the fees of the officers of the customs in the said dominions; in order to prevent any disputes concerning what fees the officers of his Majesty's customs in the British colonies and plantations in America may be intitled to for making entries or other business done by them in the execution of their employments, it is enacted, that until such time as the same shall be otherwise settled by the authority of parliament, it shall and may be lawful for all and every collector, and other officer of his Majesty's customs in any British colony or plantation in America, to demand and receive such fees as they and their predecessors were intitled to demand and receive, on or before the twenty-ninth day of September, one thousand seven hundred and sixty-four, provided the fees so taken are not contrary to the express direction of any act of parliament made in Great Britain; any law, bye-law, or other act of assembly, made in the said plantations, to the contrary notwithstanding: and whereas there have lately arisen, in some of the ports of America, disputes whether the officers of the customs were intitled to demand and receive such fees as were usually taken by them and their predecessors before the said twenty-ninth day of September, one thousand seven hundred and sixty-four; and the naval officers not having been included in the said recited act, disputes have arisen concerning the fees of some of the said naval officers; be it enacted by the authority aforelaid, That from and after the first day of *August*, one thousand seven hundred and seventy, for and during the term of two years, and from thence to the end of the then next session of parliament, unless the same shall be sooner settled by the authority of parliament, every collector, comptroller, and other officer of his Majesty's customs, and every naval officer in the said *British* colonies, shall be deemed to be intitled to, and shall and may lawfully demand and receive such fees, as they and their predecessors respectively*

After 1 Aug.
1770.

Officers of the
customs, and
naval officers
in the British
colonies, may,
for 2 years,
demand such
fees as were
usually paid
before 29 Sept.
1764.

Penalty on
exactg
greater fees.
Application
thereof.

were and had been generally and usually accustomed to demand, take, and receive, before the said twenty-ninth day of *September*, one thousand seven hundred and sixty-four; and shall have like remedy for the same according to the true intent and meaning of the said recited act; any law, bye-law, or other act of assembly made in the said plantations, to the contrary notwithstanding, and if any such collector, comptroller, or other officer of his Majesty's customs, or naval officer, in *America*, shall exact, require, or receive any greater or other fees than such as are herein before allowed to be taken; he shall, for the first offence, forfeit the sum of fifty pounds; one moiety of which penalty shall be to his Majesty, his heirs, and successors, and the other moiety to the person or persons aggrieved thereby, who shall sue for the same in the proper court in such colony or plantation; and for the second offence, he shall forfeit his place or office, and be for ever after incapable of executing any office or employment in the customs or navy.

C A P. XXXVIII.

An act for continuing the bounties on British and Irish linens exported; for further discontinuing the duties on the importation of foreign raw linen yarns made of flax; and for granting a bounty on the exportation of British chequered and striped linens, and upon British and Irish diapers, Huckabacks, sheeting, and other linen of above a certain breadth.

Preamble, re-
citing act 29
Geo. 2.

WHEREAS by an act passed in the twenty-ninth year of his late majesty King George the second, intituled, An act for granting a bounty upon certain species of *British and Irish* linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, it is enacted, that there shall be given and paid, without any fee, reward, or deduction whatsoever, a bounty for every yard of *British or Irish* linens made of hemp, or flax, and of the breadth of twenty-five inches or more, under the value of five-pence per yard, the sum of one halfpenny; and of the value of five-pence per yard, and under the value of six-pence per yard, the sum of one-penny; and of the value of six-pence per yard, and not exceeding the value of eighteen-pence per yard, the sum of one penny half-penny; which, from and after the twenty-fourth day of June, one thousand seven hundred and fifty-six, and within the term of fifteen years, to commence from the said twenty-fourth day of June, or at any time thereafter before the end of the then next session of parliament, shall be exported out of Great Britain to Africa, America, Spain, Portugal, Gibraltar, the island of Minorca, or to the East Indies: and it is further enacted, that from and after the said twenty-fourth day of June, no subsidy, custom, rate, duty, or other imposition whatsoever, should be demanded, collected, received, or taken upon any raw or brown linen yarn made of flax, and known by the names of Dutch yarn and French yarn, and of spruce or Muscovia yarn, or any other foreign raw or brown linen yarns made of flax, which shall be imported into this kingdom; but that all such linen yarns shall and may be imported duty-free for the space of fifteen years from the said

said twenty-fourth day of June, or at any time thereafter before the end of the then next session of parliament; any former law, statute, or act or acts of parliament to the contrary notwithstanding: and whereas the manufacture of linen would be still further improved, and the exportation thereof to foreign parts be preserved and considerably increased, if the bounties by the said act granted, and herein before recited, were continued, and the duties on the importation of foreign raw linen yarns made of flax taken off for a further term of years, and if a bounty was allowed on the exportation of all British checked and striped linen of a certain value: may it therefore please your Majesty that it may be enacted: and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the said act of the twenty-ninth of his late majesty King George the second, intituled, *An act for granting a bounty upon certain species of British and Irish linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, and the bounties thereby allowed; and the taking off the duties on the importation of the foreign raw linen yarns made of flax;* shall be, and the same are hereby continued, under all the clauses, conditions, and limitations of the said act, until the twenty-fourth day of June, one thousand seven hundred and seventy-eight, and from thence to the end of the then next session of parliament, except in so far as the same are altered and extended by this present act in manner as herein after mentioned; any thing in the herein before recited act to the contrary notwithstanding.

II. And be it further enacted by the authority aforesaid, That there shall be given and paid, without any fee, reward, or deduction whatsoever, a bounty for every yard of *British* checked or striped linen of the breadth of twenty-five inches or more and not exceeding one shilling and sixpence and not under seven-pence in value per yard the sum of one halfpenny, which, from and after the twenty-fourth day of June, one thousand seven hundred and seventy-one, and within the term of seven years, to commence from the said twenty-fourth day of June last mentioned, and from thence to continue to the end of the then next session of parliament immediately following the expiration of the said additional term of seven years, shall be exported out of *Great Britain to Africa, America, Spain, Portugal, Gibraltar, the island of Minorca, or the East Indies;* in the same manner, and under the like provisions, conditions, and limitations, as the herein before recited bounties were allowed by the said act of the twenty-ninth year of his late Majesty, and continued under this present act.

III. And be it further enacted by the authority aforesaid, That if, upon view and examination by the proper officers of the customs it shall appear, that all or any piece or pieces of checked and striped linen, which shall be entered for exportation as intituled to the bounty hereby granted, is or are of a greater value than one shilling and sixpence per yard; then, and in such case and cases respectively, it shall be in the power of the officers of

Act. 29. Geo. 2. for granting bounties on exportation of certain linens, &c.

further continued till 24 June, 1778; except where altered by this act.

bounty on certain British checked or striped linens exported;

subject to the provisions of act 29 Geo. 2.

linen of above 2s. 6. per yard entered as intituled to bounty,

custom officer may take the same,

on paying 1d.
per yard above
estimated va-
lue, &c.

the customs to take the said checked and striped linen, on paying to the exporter or seller the value of one penny per yard over and above the estimated value thereof; in the same manner, and subject to the like dispositions and conditions, as by the said before recited act are provided in the case of linen entered for exportation as intitled to the bounty, which, on view and examination, shall appear to the officers to be of greater value than one shilling and sixpence per yard.

A bounty of
1d. 2q. per
square yard
allowed upon
exportation of
diaper, &c. of
British or Irish
manufacture,
not exceeding
1s. 6d. per
yard in value.

IV. *And whereas diapers, buckabacks, sheeting, and other species of linen, upwards of one yard English in breadth, though of no finer or better fabrick or quality than linen of an ordinary breadth which are intitled to the bounty by the said act granted, are not intitled to the said bounty if above the value of eighteen pence per yard: and whereas it would be of greater benefit to the manufacture of diapers, buckabacks, sheeting, and other species of linen aforesaid, that a bounty be granted by the square yard upon the exportation of the same to any of the places mentioned in the said recited act; be it therefore enacted by the authority aforesaid, That for and upon every square yard of the species of goods aforesaid, being of the manufacture of Great Britain or Ireland, and not exceeding one shilling and sixpence the square yard in value, a bounty of one penny halfpenny upon every such square yard, and so in proportion for any quantity exceeding a square yard, shall be allowed upon the exportation thereof respectively, for such time, and in such manner, and under and subject to the like conditions, restrictions, and limitations, as are prescribed by the said recited act of the twenty-ninth year of his said late majesty's reign, and continued by this present act.*

C A P. XXXIX.

An act for registering the prices at which corn is sold in the several counties of Great Britain, and the quantity exported and imported.

Preamble.

WHEREAS a register of the prices at which corn is sold in the several counties of Great Britain, will be of publick and general advantage: may it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That the justices of the peace for each county, riding, division, and stewartry within Great Britain, shall, and they are hereby required, at their general or quarter-sessions, to be held next after the twenty-ninth day of September one thousand seven hundred and seventy, and so in every succeeding year during the continuance of this act, at their general or quarter-sessions to be held next after the twenty-ninth day of September, to order and direct returns to be made weekly of the prices of wheat, rye, barley, oats, and beans, from such and so many market-towns within such respective counties, ridings, divisions, and stewartries, as they shall think proper, not being less than two, nor more than six market-towns within any county, riding, or division, in that part of Great Britain called Eng-land;

Justices at ge-
neral or quar-
ter-sessions
next after 29
Sept. yearly,

to order week-
ly returns to
be made of
the prices of
wheat, rye,
barley, oats,
beans, and
big,

land; and in that part of *Great Britain* called *Scotland*, the prices also of that grain called *Bear* or *Big*; and shall and may also direct and appoint a proper person, being an inhabitant of such market-town, to make such returns from every such market-town respectively to the person to be appointed in manner herein after directed to receive the same; and in case the person appointed by the justices as aforesaid shall die, neglect his duty, or become incapable of performing it, any two justices of the peace acting for the county, riding, division, or stewardry, shall and may appoint a fit person to make such returns, until the next general or quarter-session of the peace to be holden for such county, riding, division, or stewardry; and the justices of the peace at such next general or quarter-sessions, shall and may ratify and confirm such appointment, or appoint some other person to make such returns until the next general or quarter-sessions to be held after the twenty-ninth day of *September*.

from not less than 2, or more than 6 markets; and to appoint a person to make such returns. On his neglect, &c. two justices may appoint another to act till the next general or quarter-sessions.

II. And be it further enacted by the authority aforesaid, That the meal-weighers of the city of *London* for the time being, shall take an account of the prices at which wheat, rye, barley, oats, and beans are sold at the markets within the said city, and return the average prices weekly to the person to be appointed to receive the same.

Meal weighers of *London* to make a weekly return of the average prices.

III. And be it further enacted by the authority aforesaid, That in case any of the said justices of the peace shall refuse or neglect to appoint a proper person to make such returns as aforesaid, then the lord high treasurer, or the commissioners of the treasury for the time being shall, and they are hereby required to appoint such person or persons, as they shall think proper, to make such returns from such respective places; who shall be paid in the manner directed by this act, until the respective justices of the peace, at their general or quarter-sessions next after the twenty-ninth day of *September*, shall appoint a proper person for that purpose.

Justices neglecting to appoint a person to make the return, treasury to appoint one, &c.

IV. And be it further enacted by the authority aforesaid, That the justices of the peace for each county, riding, division, and stewardry, shall cause a standard *Winchester* bushel of eight gallons to be provided and kept at each market-town, from whence such returns shall be directed to be made; and such returns shall be the average prices of wheat, rye, barley, oats, beans, and bear or big, by the customary measure of each respective market; and also the average prices by the said standard or *Winchester* bushel.

standard bushels to be provided, &c.

V. And be it further enacted by the authority aforesaid, That every person making such returns (except from the city of *London*) shall be intitled to, and shall receive such sum or sums of money for his care and trouble therein, as the justices of the peace so assembled as aforesaid shall respectively order and direct, not exceeding two shillings for each return, to be paid quarterly out of the publick rates for each county, riding, division, or stewardry; which sum and sums of money the treasurer of such county, riding, division, or stewardry, is hereby authorised and required to pay out of the publick stock of such county, riding, division,

persons making returns, to be paid out of county rates.

Duplicates of
returns to be
laid before
Justices 4
times a year.

division, or stewardry, upon receiving a certificate from the person authorised to receive such returns, that the same have been made according to the directions of this act, and upon the receipt of duplicates of such returns; which duplicates, the persons making the same are hereby required to deliver or transmit to the clerk of the peace or his deputy for each respective county, riding, division, or stewardry, four times in every year, to be laid before the justices of the peace at their next general or quarter-sessions assembled.

treasury to ap-
point a person
to receive re-
turns there;

who is to en-
ter them in a
book,
and publish
them, or ab-
stracts thereof,
weekly, in the
London Ga-
zette;
and likewise
4 times a year,
certify to the
clerks of the
peace, &c. the
returns made
from their re-
spective coun-
ties, &c.
Person ap-
pointed by
the treasury,
exempted
from postage.

VI. And be it further enacted by the authority aforesaid, That the lord high treasurer or the commissioners of his majesty's treasury for the time being shall, from time to time, appoint a fit person to receive such returns at the treasury (the first appointment to be made before the first day of *August*, one thousand seven hundred and seventy, and published eight times at the least in the *London Gazette*;) and such person shall, and is hereby required to enter, or cause such returns to be entered fairly in a book or books to be kept for that purpose; and once in every week to cause the same, or an abstract thereof, in the manner and form that shall be approved of by the lord high treasurer, or any three commissioners of his Majesty's treasury for the time being, to be published in the *London Gazette*; and shall also four times in every year transmit a certificate to the clerk of the peace for each respective county, riding, division, and stewardry, and to the court of mayor and aldermen of the city of *London*, of the returns which have been made by the several persons appointed to make the same within such county, riding, division, or stewardry; and also whether the same were regularly made according to the directions of this act.

Act 4 Geo. 3.

Account of
quantities of
corn exported
and imported,
and of boun-
ties and du-
ties paid and
received, to
be transmitted
annually by
commission-
ers of customs
in England
and Scotland.
Entries to be
made thereof.

VII. And be it further enacted by the authority aforesaid, That the person appointed to receive the said returns at the treasury, shall receive and send all his letters and packets free from the duty of postage, in the same manner, and under such restrictions, as any person or persons appointed by the lord high treasurer, or commissioners of the treasury for that purpose, now send and receive the same in pursuance of an act made in the fourth year of his present Majesty, intituled, *An act for preventing frauds and abuses in relation to the sending and receiving of letters and packets free from the duty of postage*; any law or statute to the contrary notwithstanding.

VIII. And be it further enacted by the authority aforesaid, That the lord high treasurer, or the commissioners of the treasury for the time being shall, and they are hereby required to order and direct, that an account of the quantities of all corn and grain exported and imported from and into *Great Britain*, together with an account of all bounties and duties paid and received thereon, be transmitted annually by the commissioners of the customs in *England* and *Scotland* respectively, and be registered in proper books to be kept for that purpose by the person appointed to receive the returns of the prices from the several counties as aforesaid.

IX. And

IX. And be it further enacted, That this act shall have continuance from the passing thereof, for and during the term of seven years, and from thence to the end of the then next session of parliament. Act to continue in force 7 years.

C A P. XL.

An act for appropriating a fund, established by an act made in the seventh year of the reign of his present Majesty, intituled, An act for granting to his Majesty additional duties on certain foreign linens imported into this kingdom, and for establishing a fund for the encouraging of the raising and dressing of hemp and flax.

WHEREAS by an act passed in the seventh year of the reign of his present Majesty, intituled, An act for granting to his Majesty additional duties on certain foreign linens imported into this kingdom, and for establishing a fund for the encouraging of the raising and dressing of hemp and flax, it is enacted, that a sum not exceeding fifteen thousand pounds per annum, arising from the duties by the said act granted, shall be kept apart in the receipt of his Majesty's exchequer, as a fund for the encouragement of raising and dressing hemp and flax in this kingdom, in such way and manner as the parliament should thereafter direct: and whereas such direction is now become requisite for answering the salutary purposes of the said act: may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for his Majesty, his heirs and successors, from time to time, and at all times hereafter, by his or their royal sign manual for that purpose, and countersigned by the commissioners of his Majesty's treasury, now or for the time being, or any three or more of them, or the high treasurer for the time being, to direct, order, limit, and appoint, the distribution and payment of the sum of eight thousand pounds per annum, from the commencement of the said act of the seventh of his present Majesty, and annually afterwards, or of eight fifteenth parts of the sum and sums of money which have already grown due and been kept apart, and shall hereafter grow due and be kept apart, for the encouragement of raising and dressing hemp and flax in this kingdom, pursuant to the directions of the said act of the seventh of his present Majesty, and every matter and thing necessary for the appropriation thereof, according to the true intent and meaning of the said herein before recited act, in such ways and manner, and in and by such shares, proportions, and divisions, and under such conditions, restrictions, and limitations, as to his Majesty, his heirs, and successors, shall, from time to time as aforesaid, appear to be most useful and effectual for the encouragement of the raising and dressing hemp and flax within that part of Great Britain called England.

Preamble reciting act 7 Geo. 3.

His Majesty empowered to direct the distribution of 8000l. per annum, &c. for encouraging the raising and dressing of hemp and flax,

pursuant to the directions of act 7 Geo. 3.

Act 13 Geo. I.

II. *And whereas, pursuant to powers given by an act passed in the thirteenth year of his majesty King George the First, intituled, An act for encouraging and promoting fisheries, and other manufactures and improvements, in that part of Great Britain called Scotland, his Majesty has already, by letters patent under the great seal appointed by the treaty of union to be kept in Scotland in place of the great seal thereof, appointed, named, and authorised certain persons to be trustees and commissioners for managing and directing the application of the several funds and sums of money in the said act provided and appropriated for the improvement and encouragement of fishery and manufactures in that part of Great Britain called Scotland: and whereas it will be of great publick benefit that so much of the said fund set apart for the encouragement of the raising and dressing of hemp and flax, as shall be allotted for that part of Great Britain called Scotland, should likewise be put under the management and direction of the said trustees and commissioners, and other persons after mentioned: be it therefore further enacted by the authority aforesaid, That the commissioners of his Majesty's treasury now being, and the high treasurer of Great Britain, and the commissioners of the treasury of his Majesty, his heirs, and successors, for the time being, shall, and they are hereby impowered and required to issue their warrants and orders to the proper persons, for making payment of seven thousand pounds per annum, from the commencement of the said act of the seventh of his present Majesty, and annually afterwards, or of seven fifteenth parts of the sum and sums of money which have already grown due and been kept apart, and shall hereafter grow due and be kept apart in the receipt of his Majesty's exchequer, for the encouragement of raising and dressing hemp and flax in this kingdom pursuant to the directions of the said act of the seventh of his present Majesty, as the same shall severally become due, unto the receiver-general of the crown rents and casualties in Scotland, without fee or reward, to be by him answered and issued in like manner, without fee or reward, to and by the order of the commissioners and trustees for encouraging and promoting fishings, manufactures, and improvements, in that part of Great Britain called Scotland, and other persons after named in manner as herein after mentioned.*

Treasury to
issue warrants
for paying
7000l. an-
nually, &c.

pursuant to
act 7 Geo. 3.
to the receiver
general of the
crown rents
and casualties
in Scotland,
towards en-
couraging
fisheries, &c.

Methods pre-
scribed by act
13 Geo. 1,

to be followed
in the distri-
bution of
money issued
under this act.

III. *And be it further enacted by the authority aforesaid, That the same plan or method, rules, and regulations, whereby the funds appropriated for the improvement of fisheries and manufactures by the said act of the thirteenth of George the First, are ordered to be applied, laid out, and distributed, shall take place, and be followed in the application, laying out, and distribution of the sum and sums of money which shall be issued under the authority of this present act, to and for the encouragement of the raising hemp and flax in that part of Great Britain called Scotland, under the direction and management of the said trustees and commissioners, in the same manner, and as effectually, as if the several clauses, powers, provisions, rules, regulations, matters, and things, in the said last-mentioned act, respecting the plan,*

plan, rules, and regulations aforesaid, were repeated, and applied in this present act to the application, laying out, and distribution of the said sum and sums of money allotted for the encouragement of the raising and dressing of hemp and flax in that part of Great Britain called Scotland.

C A P. XLI.

An act to enable the speaker of the house of commons to issue his warrants to make out new writs for the choice of members to serve in parliament, in the room of such members as shall die during the recess of parliament.

WHEREAS many inconveniencies have happened, and many disorders have been occasioned, for want of more speedy elections of members of the house of commons, in the room of such who have died during the recess of parliament: for remedy whereof, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the end of the present session of parliament, it shall and may be lawful for the speaker of the house of commons for the time being, during the recess of parliament for more than twenty days, whether by prorogation or adjournment, and he is hereby required to issue his warrants to the clerk of the town to make out new writs for electing members of the house of commons, in the room of such members who shall happen to die during such recess of parliament, so soon as such speaker shall have had due notice of the decease of such members.

Preamble,

After the end of the present session, the speaker of the house of commons, during recess, may issue warrants for making out writs for new elections.

II. Provided always, That no such warrant shall be issued by the speaker of the house of commons, unless the death of such member shall be certified to him by two members of the house of commons, by writing under their hands.

Decease to be certified by two members;

III. Provided always, and be it further enacted, That the speaker of the house of commons shall forthwith, after the receipt of the certificate of the death of such member, cause notice thereof to be inserted in the *London Gazette*, and shall not issue his warrant till fourteen days after the insertion of such notice in the *Gazette*; any thing herein contained to the contrary notwithstanding.

and notified by the speaker in the *London Gazette*.

IV. Provided also, and be it further enacted, That nothing herein contained shall extend to authorize the speaker of the house of commons for the time being, to issue his warrant to the clerk of the crown to make out a new writ for the electing a member of the house of commons in the room of any member deceased, unless the return of the writ, by virtue of which such member deceased was elected, shall have been brought into the office of the clerk of the crown, fifteen days at the least before the end of the session of parliament immediately preceding the death of such member.

Speaker not to issue his warrant, unless the return of the writ for election of deceased member be brought to the crown office 15 days before the end of the preceding session.

C A P.

C A P. XLII.

An act to indemnify such persons in Great Britain and Ireland, as have omitted to qualify themselves for offices and employments within the time limited by law, and for allowing further time for that purpose; for allowing further time for registering and inrolling agreements entered into for enclosing commons, for the purpose of planting and preserving trees for timber or underwood; and for indemnifying persons who have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors.

Preamble, reciting the several qualifying acts of

1 Geo. 1.

13 Car. 2.

25 Car. 2.

30 Car. 2.

3 Geo. 1.

9 Geo. 2.

WHEREAS divers persons in the kingdom of Great Britain and Ireland, who, on account of their offices, places, employments, or professions, or any other cause or occasion, ought to have taken and subscribed the oaths, or the assurance respectively appointed to be by such persons taken and subscribed, in and by an act made in the first year of the reign of his late majesty King George the First, of glorious memory, intituled, An act for the further security of his Majesty's person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors; or to have qualified themselves according to an act made in the thirteenth year of the reign of King Charles the Second, intituled, An act for the well governing and regulating corporations; or to have qualified themselves according to another act made in the twenty-fifth year of the reign of King Charles the Second, intituled, An act for preventing the dangers which may happen from popish recusants, by receiving the sacrament of the Lord's supper according to the usage of the church of England, and making and subscribing the declaration against transubstantiation therein mentioned; or according to another act made in the thirtieth year of the reign of King Charles the Second, intituled, An act for the more effectual preserving the King's person and government, by disabling papists from sitting in either house of parliament; or according to an act made in the kingdom of Ireland, in the second year of the reign of her late majesty Queen Anne, intituled, An act to prevent the further growth of popery; or according to another act made in the eighth year of the reign of his late majesty King George the First, intituled, An act for granting the people called quakers, such forms of affirmation or declaration as may remove the difficulties which many of them lie under; or according to another act made in the ninth year of the reign of his late majesty King George the Second, intituled, An act for indemnifying persons who have omitted to qualify themselves for offices within the time limited by law, and for allowing further time for that purpose; and for amending so much of an act passed in the second year of the reign of his present Majesty, as requires persons to qualify themselves for offices before the end of the next term or quarter sessions; and also for enlarging the time limited by law for making

ing

ing and subscribing the declaration against transubstantiation; and for allowing a further time for enrolment of deeds and wills made by papists; and for relief of protestant purchasers, devisees, and lessees; or according to another act made in the eighteenth year of the reign of his late majesty King George the Second, intituled, ^{18 Geo. 2.} An act to amend and render more effectual an act passed in the fifth year of his present Majesty's reign, intituled, *An act for the further qualification of justices of the peace; or according to another act made in the second year of the reign of his present Majesty, intituled,* ^{2 Geo. 3.} An act to explain, amend, and reduce into one act of parliament, the several laws now in being relating to the raising and training the militia within that part of Great Britain called England; or according to another act made in the sixth year of the reign of his present Majesty, intituled, *An act for altering the oath of abjuration and the assurance; and for amending so much of an act made in the seventh year of her late majesty Queen Anne, intituled, An act for the improvement of the union of the two kingdoms, as, after the time therein limited, requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason, or misprision of treason; have, through ignorance of the law, absence, or some unavoidable accident, omitted to take and subscribe the said oaths and assurance, and make and subscribe the declaration required by law, or otherwise to qualify themselves as aforesaid, within such time, and in such manner, as in and by the said acts respectively, or by any other act of parliament in that behalf made is required; whereby they have incurred, or may be in danger of incurring, divers penalties and disabilities: for quieting the minds of his Majesty's subjects in Great Britain and Ireland, and for preventing any inconveniencies that might otherwise happen by means of such omissions; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That all and every person or persons respectively in Great Britain and Ireland, who, at or before the passing of this act, hath, or shall have, omitted to take and subscribe the said oaths and declarations, or to receive the sacrament of the Lord's supper, or otherwise to qualify himself, herself, or themselves, within such time, and in such manner, as in and by the said acts, or any of them, or by any other act of parliament in that behalf made in Great Britain and Ireland respectively is required; and who, after accepting any such office, place, or employment, or undertaking any profession or thing, on account of which such qualification ought to have been had and is required, before the passing of this act, hath or have taken and subscribed the said oaths, or made the declarations required by law, and also received the sacrament of the Lord's supper, according to the usage of the church of England; or who, on or before the twenty fifth day of December, one thousand seven hundred and seventy, shall take and subscribe the said oaths, declarations, and assurance respectively, in such cases wherein by law the said oaths, declarations, and assurance, ought to have been taken or subscribed, in such manner and form, and at or*

and 6 Geo. 3.

Persons who at, or before the passing of this act, have omitted to qualify themselves for offices and employments, as the laws direct, &c.

and who shall duly qualify themselves on or before 25 Dec. 1770,

in such place or places, as are appointed in and by the said act made in the kingdom of *Ireland* in the second year of the reign of her late majesty *Queen Anne*, or in and by the said act made in the first year of the reign of his late majesty *King George* the First, or by any other act or acts of parliament in *Great Britain* and *Ireland* respectively, in that behalf made and provided; and also hath or have received, or shall, on or before the said twenty fifth day of *December*, one thousand seven hundred and seventy, receive the sacrament of the Lord's supper according to the usage of the church of *England*, in such cases wherein the said sacrament ought to have been received; and hath or have made and subscribed, or shall, on or before the twenty-fifth day of *December*, one thousand seven hundred and seventy, make and subscribe the said declaration against transubstantiation; and also hath or have made and subscribed, or shall on or before the said twenty-fifth day of *December*, one thousand seven hundred and seventy, make and subscribe the said declaration in the said statute made in the thirtieth year of *King Charles* the Second, in such cases wherein the said declarations ought to have been made and subscribed; and take and subscribe the oath directed by the said act made in the eighteenth year of the reign of his late majesty *King George* the Second, in such cases wherein the said oath ought to have been taken and subscribed, in such manner as by the said act is directed; and also being a deputy lieutenant, or officer of the militia, shall, on or before the said twenty-fifth day of *December*, one thousand seven hundred and seventy, leave his qualification in writing with the clerk of the peace, with whom he is by the said act, made in the second year of his present Majesty's reign, required to leave the same; shall be and are hereby indemnified, freed, and discharged, from and against all penalties, forfeitures, incapacities, and disabilities, incurred, or to be incurred, for or by reason of any neglect or omission, previous to the passing of this act, of taking or subscribing the said oaths or assurance, or receiving the sacrament, or making or subscribing the said declarations, or taking or subscribing the said oath, or leaving his qualification in writing with the clerk of the peace respectively, according to the above-mentioned acts, or any of them, or any other act or acts; and such person and persons is and are, and shall be, fully and actually recapacitated and restored to the same state and condition as he, she, or they, were in before such neglect or omission, and shall be deemed and adjudged to have duly qualified him, her, or themselves, according to the above-mentioned acts, and every of them; and that all elections of, and acts done, or to be done, by any such person or persons, or by authority derived from him, her, or them, are and shall be of the same force and validity as the same, or any of them, would have been, if such person or persons respectively had taken the said oaths or assurance, and received the sacrament of the Lord's supper, and made and subscribed the said declarations, and taken and subscribed the said oath, and left his qualification in writing with the clerk of the peace, according to the direction of the said acts, and every or any of them;

are indemnified for any such previous omission,

and recapacitated;

and all elections, and acts done, or to be done, by them, &c. are declared to be as valid, as if they had before duly qualified themselves as the said several acts direct;

them; and that the qualification of such person or persons qualifying themselves in manner, and within the time, appointed by this act, shall be, to all intents and purposes, as effectual, as if such person or persons had respectively taken the said oaths and assurance, and received the sacrament, and made and subscribed the said declaration, and taken and subscribed the said oath, and left his qualification in writing with the clerk of the peace, within the time, and in the manner, appointed by the several acts before-mentioned, or by any other thing therein to the contrary notwithstanding.

II. Provided always, That this act, or any thing herein contained, shall not extend, or be construed to extend, to indemnify any person against whom final judgement shall have been given in any action of debt, bill, plaint, or information, in any of his Majesty's courts of record in *Great Britain* or *Ireland* respectively, for any penalty incurred by having neglected to qualify himself within the time limited by law.

III. Provided also, That this act, or any thing herein contained, shall not extend, or be construed to extend, to restore or intitle any person or persons to any office or employment, benefice, matter, or thing whatsoever already actually avoided by judgement of any of his Majesty's courts of record in *Great Britain* or *Ireland* respectively, or already legally filled up and enjoyed, by any other person, but that such office, employment, benefice, matter or thing, so avoided, or legally filled up and enjoyed, shall be and remain in and to the person or persons who is or are now, or shall at the passing of this act be legally intituled to the same, as if this act had never been made.

IV. And whereas by an act made in the twenty-ninth year of the reign of his late majesty King George the Second, intituled, An act for inclosing, by the mutual consent of the lords and tenants, part of any common, for the purpose of planting and preserving trees fit for timber or underwood; and for the more effectually preventing the unlawful destruction of trees, it is, among other things, enacted, That it shall and may be lawful to and for his Majesty, his heirs and successors, and all other owners of wastes, woods, and pastures, in that part of Great Britain called England, wherein any person or persons, or body or bodies politick or corporate hath or have a right of common or pasture, by and with the assent of the major part in number and value of the owners and occupiers of tenements, to which the said right of common or pasture doth belong; and to and for the major part in number and value of the owners and occupiers of such tenements, by and with the assent of the owner or owners of the said wastes, woods, and pastures; and to and for any other person or persons, or body politick or corporate, by and with the assent and grant of the owner or owners of such wastes, woods, and pastures, and the major part in number and value of the owners and occupiers of such tenements, to inclose and keep in severalty, for the growth and preservation of timber or underwood, any part of such wastes, woods, and pastures, for such time, and in such manner, and upon such conditions, as shall be agreed by them respectively; and it is by the

except in such cases where final judgement hath been given in any court for the penalty incurred by any such omission.

Offices, &c. already avoided by judgement of a court, and legally filled up, confirmed.

Act 29 Geo. 2.

said act provided, that the recompence to be paid to any such owner or owners of such wastes, woods, and pastures, not having a fee simple therein, or being disabled or restrained from alienating the same, shall be either by a grant of a share of the profit which shall, from time to time, arise from the sale of the timber or underwood growing on the ground or soil so inclosed, or by a grant of other lands, tenements, or hereditaments, or of an annuity or rent-charge, issuing out of the said ground or soil so inclosed, or out of other lands, tenements, or hereditaments; such equivalent to be held and enjoyed by the owner or owners of such wastes, woods, and pastures, and such as shall be intitled to the same, in reversion, remainder, or succession, in like manner as the estate in such wastes, woods, or pastures, is limited to be held and enjoyed: and whereas it is in and by the said last recited act farther provided, that every agreement for any such inclosure shall be in writing, and signed by the parties; and the same shall be registered and inrolled by the clerk of the peace for the county, riding, or division, where such wastes, woods, or pastures, or the greater part of them, shall lie, within three months next after the execution of such agreement: and whereas by virtue of agreements made, or intended to have been made, pursuant to the said act, and another act made in the thirty-first year of his said late Majesty's reign, to amend and render more effectual the same, divers parts of such wastes, woods, and pastures, have been enclosed, and are now kept in severalty, for the growth and preservation of timber or underwood, and at a great expence have been planted with trees for ornament, shelter, or profit; but the persons making such inclosures have or may have omitted to have their said deeds or instruments of agreement registered and inrolled by the clerk of the peace within three months next after the execution thereof; and in other respects the powers in the said acts may not have been strictly pursued: be it therefore enacted by the authority aforesaid, That every agreement purporting to be made pursuant to the said acts for inclosing of any wastes, woods, or pastures, which have been already taken in and inclosed, shall be of the same force and validity, and all and every the said inclosures shall stand and be confirmed and established in the same manner, as if such agreement had been registered and inrolled by the proper clerk of the peace, pursuant to the said act; provided such agreement hath been before the passing of this act, or shall be, on or before the twenty-fifth day of *December*, one thousand seven hundred and seventy, registered and inrolled by the clerk of the peace, for the county, riding, or division where such wastes, woods, or pastures, or the greatest part of them, lie.

Agreements for lands already inclosed, if registered on or before 25 Dec. 1770, to be valid.

Persons aggrieved may appeal to the quarter-sessions:

their determination to be final.

V. Provided also, That it shall and may be lawful to and for all persons, or bodies politick or corporate, who think themselves injured or aggrieved by any such agreement not yet registered and inrolled, and where the lands inclosed in pursuance thereof have not been already planted with trees as aforesaid, to make complaint thereof by appeal to the justices of the peace at any quarter-sessions to be held for the same county, riding, or division, within six months after any such agreement shall be registered and inrolled in manner as aforesaid; which said justices

are

are hereby authorized and required to hear and determine such appeal, and whose determination therein shall be final.

VI. And be it further enacted by the authority aforesaid, That where any such inclosure, before the passing of this act, hath been made by any owner or owners of wastes, woods, or pastures, by and with the assent of the major part in number and value of the owners of tenements to which a right of common of pasture therein did then belong, or by any other person or persons, body politick or corporate, by and with the assent of the owner or owners of such wastes, woods, and pastures, and the major part in number and value of the owners of such tenements; such inclosures shall be deemed and adjudged to be as legally made, and are hereby established and confirmed in like manner, as if the major part in number and value of the occupiers also of such tenements had thereunto assented and agreed.

Inclosures already made by owners of wastes, &c. with assent of major part of owners of tenements,

to be deemed as legal as if major part of occupiers had also consented.

VII. And be it further enacted by the authority aforesaid, That where any owner of wastes, woods, or pastures, not having an estate in fee-simple therein, hath, before the passing of this act, agreed and assented to the making such inclosures of any part of his said wastes, woods, or pastures, for the purposes aforesaid, and the recompence to be paid to such owner is by grant of some annuity, but the same is not in the deed of agreement made a charge upon, or expressed to be issuing out of the said ground or soil so inclosed, or any other lands, tenements, or hereditaments, as by the said recited act is required; such annuity so granted shall be deemed and taken to be a rent-charge issuing out of the said ground or soil so inclosed; and the said agreement shall be as good, effectual, and binding, to all intents and purposes, as if the same had been so expressly mentioned and granted in and by the said deed.

Where owners of wastes, &c. not having estate in fee-simple, shall have agreed to inclosure,

the recompence to be deemed a rent-charge issuing out of the soil.

VIII. And whereas many persons have omitted to cause affidavits to be made, and afterwards to be filed in the proper office, of the actual execution of several contracts in writing entered into by them to serve as clerks to attornies or solicitors within the time in which the same ought to have been done; and many infants and others may thereby incur certain disabilities: for preventing thereof, and relieving such persons, be it enacted by the authority aforesaid, That every person who, at the time of passing this act, shall have neglected or omitted to cause any such affidavit or affidavits as aforesaid to be made and filed, and who, on or before the twenty-fifth day of December, one thousand seven hundred and seventy, shall cause one or more affidavits or affidavits to be made, and afterwards to be filed in such manner as the same ought to have been made and filed in due time, shall be, and is hereby indemnified, freed, and discharged from and against all penalties, forfeitures, incapacities, and disabilities, in or by any act or acts of parliament mentioned and incurred, or to be incurred, for or by reason of such neglect or omission; and every such affidavit and affidavits so to be made, and which shall be duly filed on or before the said twenty-fifth day of December, one thousand seven hundred and seventy, shall be, and is hereby indemnified, freed, and discharged from and against all penalties, forfeitures, incapacities, and disabilities, in or by any act or acts of parliament mentioned and incurred, or to be incurred, for or by reason of such neglect or omission.

Persons who have omitted to make and file affidavits of contracts of clerks to attornies and solicitors, in due time, doing the same by 25 Dec. 1770, are indemnified against the penalties of former acts,

hun-

hundred and seventy, shall be as effectual, to all intents and purposes, as if the same had been made and filed within the respective times the same ought, by the laws now in being for that purpose, to have been made and filed.

Persons sued
may plead the

General issue.

Treble costs.

IX. And be it further enacted by the authority aforesaid, That in case any action, suit, bill of indictment, or information, shall, from and after the passing of this act, be brought, carried on, or prosecuted against any person or persons herein before meant or intended to be indemnified, recapacitated, or restored, for or on account of any forfeiture, penalty, incapacity, or disability whatsoever, incurred or to be incurred by any such neglect or omission; or if any action shall be brought against any person or persons for any matter or thing done by virtue or in execution of this act; the defendant or defendants respectively shall and may plead the general issue, and upon their defence give this act, and the special matter in evidence at any trial to be had thereupon: and if the plaintiff or plaintiffs in such action shall discontinue the same, or become nonsuit; or if judgement shall be given against such plaintiff; then the defendant or defendants in every such action shall recover treble costs of suit.

C A P. XLIII.

An act for repealing the duties upon bast or straw, chip, cane, and horsehair hats and bonnets, and upon certain materials for making the same, imported into this kingdom; and for granting other duties in lieu thereof; and for the more effectual preventing the fraudulent importation of such goods.

Preamble, re-
citing act
7 Geo. 3.

WHEREAS by an act made in the seventh year of his Majesty's reign, intituled, An act for granting to his Majesty additional duties upon bast or straw, chip, cane, and horsehair hats and bonnets, and upon certain materials for making the same, imported into this kingdom, a new duty of six shillings was laid upon every dozen of bast or straw, chip, cane, and horsehair hats and bonnets; and a new duty of six shillings was also laid upon every pound weight avoirdupoise of platting, or other manufacture of bast or straw, chip, cane, or horsehair, to be used in or proper for making of hats or bonnets, to be imported into this kingdom, over and above all other duties imposed thereon: and whereas, since the laying of the said new duties, great quantities of the said goods have been clandestinely and fraudulently imported and run into this kingdom, to the diminution of the public revenue, and the discouragement of the fair traders: and whereas bast or straw hats are rated in the book of rates referred to by the act of tonnage and poundage made in the twelfth year of King Charles the Second, and plat, called Bermudas plat, for hats, and shavings for hats, are also rated in the additional book of rates referred to by an act of the eleventh year of the reign of his late majesty King George the First; but the other articles herein before enumerated, not being rated in either of the said books of rates, or by any other act of parliament, the duties granted by former acts upon such unrated articles, are payable according to the value sworn to, or affirmed

affirmed by, the importers; which by experience has been found to be very unequal, from the various values fixed by the importers on the same species of goods: now, for remedy thereof, and to put the trade upon a more equal foot, may it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty-fourth day of June, one thousand seven hundred and seventy, the said new duties imposed by the said recited act of the seventh year of his Majesty's reign as aforesaid, and all other rates and duties now payable by virtue of any other act or acts of parliament, upon bast or straw, chip, cane, and horsehair hats or bonnets, and upon platting, or other manufactures of bast or straw, chip, cane, and horsehair, to be used in or proper for making of hats or bonnets, imported into this kingdom, shall cease and determine, and be no longer paid or payable for the same.

II. And be it further enacted by the authority aforesaid, That in lieu of the said former rates and duties repealed by this act, all bast or straw, chip, cane, and horsehair hats and bonnets, which, from and after the said twenty-fourth day of June, one thousand seven hundred and seventy, shall be imported or brought into this kingdom, shall be rated to and pay the old subsidy granted by the act of tonnage and poundage made in the twelfth year of the reign of King Charles the Second, according to the rates and values of twelve shillings and six-pence for every dozen, each hat or bonnet not exceeding twenty-two inches in diameter; and one pound five shillings for every dozen of such hats, or bonnets as shall exceed twenty-two inches in diameter each; and all platting, or other manufactures of bast or straw, chip, cane, or horsehair, to be used in or proper for making of hats or bonnets, which, from and after the said twenty-fourth day of June, one thousand seven hundred and seventy, shall be so imported or brought into this kingdom, shall be rated to, and pay the said old subsidy, according to the rate and value of six shillings and eight pence for every pound weight avoirdupois; and after those rates, for any greater or less quantity of such goods respectively.

III. And be it further enacted by the authority aforesaid, That in all cases where any of the said goods herein before enumerated were, before the making this act, subject or liable to the payment of the further subsidy, one third subsidy, two thirds subsidy, the additional impost, the additional duty on French goods, the subsidy one thousand seven hundred and forty-seven, or any of them, according to the respective values set thereon for the said old subsidy, or in proportion thereto; the same shall, from and after the said twenty-fourth day of June, one thousand seven hundred and seventy, be paid proportionably, according to the particular rate or value herein before respectively set thereon for the old subsidy, and not according to any

After 24 June, 1770, the duties here mentioned repealed;

and old subsidy to be paid according to rates following, viz.

for hats or bonnets not exceeding 22 inches diameter, 12 s. 6 d. per doz. and, exceeding that diameter, 1 l. 5 s. per doz. and for platting, &c. 6 s. 8 d. per lb. avoirdupois.

Goods herein before enumerated,

to pay proportionably according to rates herein before set thereon for former old subsidy.

former rate or value ; any thing in any other act to the contrary notwithstanding.

Duties, &c. to be raised, &c. as directed by the acts which granted the same ;

and the powers and penalties of the said acts extended to this act.

Enumerated goods now remaining in the King's warehouses under proviso in act 7 Geo. 3.

subject to the same regulations as if imported after 24 June, 1770. Owner making a post entry thereof, and paying, in 3 months, so much as will make up the duties hereby imposed, goods to be delivered up to him.

But on failure of such entry and payment,

the same may be sold by auction, returning the overplus.

Straw and chip hats, &c. not to be

IV. And be it further enacted by the authority aforesaid, That the several subsidies, impositions, and duties, upon the said goods herein before mentioned, shall be raised, levied, collected, paid, and applied, in such manner and form, and by such ways and means, and under such penalties and forfeitures, and with such discounts, allowances, and drawbacks, as are mentioned and expressed in the several acts of parliament which granted or continued the same respectively : and all powers, penalties, provisions, articles, and clauses, therein contained, shall continue in full force and effect, and shall be applied, practised, and executed, for the raising, levying, collecting, paying, and applying the said respective subsidies, impositions, and other duties, according to the true intent and meaning of this present act, as fully and effectually, to all intents and purposes, as if the said clauses, matters, and things, had been repeated and enacted in the body of this present act.

V. Provided always, and it is hereby further enacted by the authority aforesaid, That such of the goods herein before enumerated, as shall be now remaining in any warehouse under the King's locks, where the said goods were lodged immediately upon landing, in pursuance of the proviso for that purpose in the before recited act made in the seventh year of his Majesty's reign, shall be subject and liable to the duties and regulations herein before mentioned, in the same manner as if the said goods had been imported after the said twenty-fourth day of *June*, one thousand seven hundred and seventy ; and upon the owner or proprietor making a post entry for such goods, and paying, within the space of three months from the commencement of this act, into the hands of the collector of his Majesty's customs for the port where such goods shall be secured, so much money as, together with the duties before paid upon the importation of such goods, will be equal to the duties imposed by this act thereon, the said goods shall and may be delivered up to him or them to be disposed of as by law they may ; but in case such entry shall not be made, and the duties paid as aforesaid, within the said space of three months from and after the commencement of this act, then it shall and may be lawful for the commissioners of his Majesty's customs, or any four or more of them, to cause the said goods to be brought to any warehouse belonging to his Majesty, and publicly sold by auction to the best advantage ; and after deducting the charges of such sale, to apply the produce thereof to the customs and duties herein before mentioned ; and the overplus, if any, to be paid to the owner or proprietor of such goods ; any thing in the before-recited act to the contrary notwithstanding.

VI. And it is hereby further enacted by the authority aforesaid, That from and after the twenty-fourth day of *June*, one thousand seven hundred and seventy, no bast or straw, chip, cane,

or horsehair hats or bonnets, or any platting or other manufac-
 tures herein before mentioned to be used in or proper for making
 of such hats or bonnets, shall be imported or brought into any
 part of *Great Britain*, except into the port of *London* only, upon
 any pretence whatsoever; nor shall any such goods be imported
 or brought into the port of *London*, unless the same shall be
 packed in bales or tubs, each of which bales or tubs shall con-
 tain seventy-five dozen of such hats or bonnets, or two hundred
 and twenty-four pounds weight avoirdupois of such platting or
 other manufactures at the least respectively; and in case any of
 such goods shall be imported or brought into any other port or
 place within this kingdom, except in the port of *London*, or shall
 be found on board any ship or vessel coming or arriving from
 any foreign parts, either at anchor, or hovering within the limits
 of any port of this kingdom, or within two leagues of the shore,
 or shall be discovered to have been within the limits of any such
 port, and not proceeding on her voyage, wind and weather
 permitting, unless in case of unavoidable necessity and distress
 of weather, of which necessity and distress the master, purser,
 or other person, having or taking the charge or command of
 such ship or vessel, shall give notice to, and make proof of, be-
 fore the collector or other chief officer of the customs of such
 port as aforesaid, immediately after the arrival of such ship or
 vessel into the said port; or if any such goods shall be imported or
 brought into the port of *London*, in any other form or manner,
 or in any less quantity or package than is herein before men-
 tioned and allowed; in each and every such case, such goods so
 imported, or found on board any ship or vessel, contrary to
 the true intent and meaning of this act, together with the pack-
 age containing the same goods, or the value thereof, shall be for-
 feited, whether bulk shall then have been broken or not; and
 the ship or vessel in which such goods shall be so imported or
 found as aforesaid, with all her tackle, furniture, and apparel,
 shall also be forfeited and lost, provided such ship or vessel doth
 not exceed the burthen of fifty tons; and such ship, vessel, or
 goods, shall and may be seized and prosecuted by any officer or
 officers of his Majesty's customs, and, after condemnation, dis-
 posed of and divided in the same manner as other forfeited
 goods, and ships or vessels not exceeding fifty tons burthen, are
 directed to be seized, prosecuted, disposed of, and divided by an
 act made in the third year of the reign of his present Majesty, Act 3 Geo. 3.
 intituled, *An act for the further improvement of his Majesty's re-
 venue of customs; and for the encouragement of officers making
 seizures; and for the prevention of the clandestine running of goods
 into any part of his Majesty's dominions.*

VII. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any per-
 son or persons for any thing by him or them done or executed
 in pursuance of this act, the defendant or defendants in such
 action or suit shall and may plead the general issue, and give this
 act and the special matter in evidence at any trial to be had

brought into
 any other port
 but the port
 of *London*;

nor there, in
 less quantity
 than 75 dozen
 of hats or
 bonnets,
 or 224 lb. wt.
 of platting,
 &c.

on forfeiture
 thereof, toge-
 ther with the
 package,

and also of the
 ship, &c. if
 not exceeding
 50 tons bur-
 then;

to be prose-
 cuted and di-
 vided as di-
 rected by

Act 3 Geo. 3.

Limitation of
 actions.

General issue.

thereupon, and that the same was done in pursuance and by the authority of this act: and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or prosecution, or judgement shall be given against him, her, or them, upon demurrer or otherwise; then such defendant or defendants shall have treble costs awarded to him or them, against such plaintiff or plaintiffs.

Treble costs.

CAP. XLIV.

An act for more effectually preventing traders in exciseable commodities from using false weights and scales; and for explaining and amending several acts of parliament relating to hackney coaches and chairs.

Preamble.

WHEREAS several traders, subject to the survey of the officers appointed by the commissioners of excise, are severally required by the laws concerning the duties under the management of the said commissioners, to keep just and sufficient scales and weights, at the place or places where they carry on their respective trades, to be used in taking the account of the stocks of such traders: and whereas, the penalties in those laws provided, have by experience been found ineffectual, and not sufficient to restrain the using false weights and scales, in regard the duties of one weighing oftentimes amount to more than the forfeiture incurred; whereby some ill-disposed persons have been encouraged to make use of false, unjust, and insufficient scales and weights, to the great diminution of the revenue, and to the discouragement of the fair trader: for remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That if at any time after the twenty-fourth day of June one thousand seven hundred and seventy, any trader, subject to the survey of any officer of excise, and required by the laws concerning the duties under the management of the commissioners of excise to keep sufficient and just scales and weights, shall, in the weighing his, her, or their stock or stocks, make use of, or cause, or procure, or suffer to be used, any false, unjust, or insufficient scales or weights, to the intent to defraud his Majesty of the duties by the said laws respectively granted; that then, and in every such case, the party or parties offending, shall forfeit the sum of one hundred pounds for every such offence.

After 24 June 1770, trader using false weights and scales in weighing his stock, in fraud of the duties,

forfeits 100 l.

Offender not to be punished twice for the same offence.

II. Provided always, That such offender, who shall be prosecuted for the penalty by this act given, shall not be again prosecuted for the same offence by any former act; and that such offender who shall be prosecuted for the penalty given by any former act, shall not be prosecuted again for the same offence,

fence, by virtue of this present act, or any thing herein contained.

III. And be it further enacted by the authority aforesaid, That the penalties by this act imposed shall and may be sued for, recovered, levied, and mitigated by any such ways and means and methods, as any penalty or forfeiture imposed by any of the laws of excise may be sued for, recovered, levied, and mitigated; and that one moiety of such penalties and forfeitures shall be for the use of his Majesty, his heirs, and successors, and the other moiety for the use of such person or persons that shall inform or sue for the same.

Penalties to be recovered, &c. as by the laws of excise,

and to be applied, half to his Majesty, half to the informer.

IV. And whereas, by a clause contained in an act passed in the seventh year of his present Majesty's reign, intituled, An act for altering the stamp duties upon policies of assurance; and for reducing the allowance to be made in respect to the prompt payment of the stamp duties on licences for retailing beer, ale, and other exciseable liquors; and for explaining and amending several acts of parliament relating to hackney coaches and chairs; it was enacted, that every jobb-coach licensed at the head office of excise in London, which should be driven or let to hire on private contract within the cities of London and Westminster, or the suburbs thereof, or within the weekly bills of mortality, for any time longer than one month, without having the excise number or mark fixed under the foot-board of every such coach, the same should be deemed and adjudged a coach driven or let to hire, contrary to the act therein before mentioned, made in the ninth year of the reign of Queen Anne; and the person so letting or driving for hire as aforesaid, is made liable to the like penalty, as any person or persons who should drive or let to hire by the hour, day, or otherwise, any hackney coach or coach-horses, within the places therein mentioned, without leave or licence from the commissioners for regulating and licensing hackney coaches and chairs, were then by law liable unto: and whereas many inconveniencies may arise from putting the said clause strictly into execution; be it therefore enacted by the authority aforesaid, That from and after the twenty-fourth day of June one thousand seven hundred and seventy, the said clause shall be, and the same is hereby repealed.

Act 7 Geo. 3.

Clause in cited act repealed.

V. And whereas, by another clause contained in the said act passed in the seventh year of his present Majesty's reign, it is enacted, That in every case where any person, for any of the offences mentioned in any law relating to the licensing and regulating of hackney-coaches and chairs, shall be liable to be committed to prison, it should and might be lawful for the said commissioners, or any three or more of them, either to commit such offender to prison in manner and for the time therein prescribed, or, by warrant under their hands and seals, to commit such offender to his Majesty's workhouse of Bridewell in London, or some other house of correction, there to be kept to hard labour for any time, at the discretion of the said commissioners, not exceeding one month; and also to receive the correction of the said house, if the said commissioners shall so think fit to order: and whereas a doubt has arisen, whether the said commis-

sioners

Commission-
ers may com-
mit offenders
immediately
to Bridewell
in London, &c.

to hard la-
bour,
and the cor-
rection of the
house.

Licensed per-
son refusing
to appear up-
on summons,

forfeits 20 s.

and refusing to
appear, with
his renter, on
third sum-
mons, com-
missioners
may deter-
mine com-
plaint, and in-
flict due pe-
nalty.

Commission-
ers or justices
may deter-
mine offences,
and inflict
punishments,

as directed by
act 9 Annæ.

*soners have a power, under the said recited clause, to commit of-
fenders to Bridewell, or any other house of correction, immediately
upon such offenders being convicted before them; which power would
be very beneficial in many instances to the publick: be it therefore
enacted by the authority aforesaid, That from and after the
passing of this act, it shall and may be lawful for the said com-
missioners, or any three or more of them, in all cases where
they may now, by law, commit any offender convicted before
them to Bridewell or any other house of correction, to commit
such offender, for such offence whereof he shall be so convicted
before them, by warrant under their hands and seals, imme-
diately to his Majesty's said workhouse of Bridewell in London,
or some other house of correction; there to be kept to hard
labour for any time, at the discretion of the said commission-
ers, not exceeding one month, and also to receive the cor-
rection of the said house, if the said commissioners shall so
think fit to order.*

VI. And be it further enacted by the authority aforesaid,
That from and after the passing of this act, every person li-
censed by the said commissioners, or the major part of them,
to carry or let for hire a hackney-chair, who shall neglect or
refuse (being duly summoned for that purpose) to appear from
time to time before the said commissioners in person, or by his
or her renter, upon any complaint made, without some rea-
sonable excuse to be approved of by the said commissioners,
shall, for every such offence, forfeit the sum of ten shillings;
and if any such person licensed as aforesaid shall neglect or re-
fuse to appear, together with his or her renter, before the said
commissioners upon the third summons, without such reason-
able excuse as aforesaid, it shall and may be lawful for the said
commissioners, or the major part of them, to hear and deter-
mine the said complaint, notwithstanding the absence of the
party offending, upon the oath of one or more credible witness
or witnesses, and to impose upon such licensed person or
renter the penalty or forfeiture due to such offence.

VII. And be it further enacted by the authority aforesaid,
That all the offences mentioned in, and intended to be pro-
vided against by the said recited act, or by this present act, shall
and may be heard and determined, and all and every the for-
feitures and penalties thereby inflicted, shall and may be reco-
vered and levied, not only by his Majesty's commissioners for
regulating and licensing hackney-coaches and chairs, or the
major part of them, but also by any justice of the peace,
mayor, bailiff, or other magistrate of the county, city, or
place, where such offence or offences shall be committed, by
such ways and means as the penalties and forfeitures in the said
act, made in the ninth year of the reign of Queen Anne, are
directed to be levied and recovered.

VIII. And whereas great neglect or default hath been made in
transmitting, to the receiver-general of the revenue arising by hack-
ney coaches and chairs, his Majesty's part of the penalties which
have

have been levied by justices of the peace, or other magistrates, in pursuance of the several acts and bye-laws made, relating to hackney-coaches and chairs: be it therefore enacted by the authority aforesaid, That from and after the twenty-fourth day of June one thousand seven hundred and seventy, his Majesty's part of all penalties which shall be levied by any justice of the peace, mayor, bailiff, or other magistrate, in pursuance of this or any other act, or any of the bye-laws made relating to hackney-coaches and chairs, shall from time to time be transmitted by him or them to the receiver-general of the said revenues arising by hackney-coaches and chairs, and also a certificate thereof to the said commissioners for licensing and regulating the same, within ten days after the levying any such penalty or penalties, upon pain of forfeiting the sum of ten pounds; one moiety thereof to the use of his Majesty, his heirs, and successors, and the other moiety thereof to him or them that will inform, or sue forth for the same.

His Majesty's part of all penalties to be transmitted to receiver general of these duties,

and certificate thereof to the commissioners, within ten days, on penalty of 10 l.

IX. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons, for any thing done in pursuance of this act, the defendant or defendants, in such action or suit shall and may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance, and by the authority of this act: and if afterwards a verdict shall pass for the defendant or defendants, or the plaintiff or plaintiffs shall discontinue his or their action or actions, or be nonsuited, or judgement shall be given against him, her, or them upon demurrer or otherwise; then such defendant or defendants shall have treble costs awarded to him or them against such plaintiff or plaintiffs.

General issue.

Treble costs.

C A P. XLV.

An act to prevent the further spreading of the contagious disorder among the horned cattle in Great Britain.

WHEREAS by an act made in this present session of parliament, intituled, An act for indemnifying all persons with respect to advising or carrying into execution his Majesty's orders of council, made for preventing the spreading of a contagious distemper amongst the horned cattle, and for rendering the same valid and effectual, and for preventing suits in consequence thereof, and to authorize the continuing, extending, and executing the same for a further time, his Majesty is empowered, by and with the advice of his privy council, to continue and extend his orders issued in council, bearing date the seventh and fourteenth and twenty-second days of December, in the year one thousand seven hundred and sixty-nine, for preventing the spreading the said contagion, to all such counties and places in Great Britain, and all other his Majesty's dominions thereunto belonging, or any part or parts thereof, as his Majesty, in his great wisdom, shall judge most

Preamble.
reciting act of this session.

expedient and effectual to prevent the spreading such infectious distemper; and it is also in and by the said act provided, that the continuation of the said powers, authorities, rules, orders, and regulations, or any of them, which are thereby before confirmed, may be repealed, abridged, or shortened, and also that the same, or any of them, may be enlarged, altered, and varied, by any other act or acts to be made in this present session of parliament: and whereas a contagious distemper has raged for some time past, and still continues to rage amongst the horned cattle in several parts of Europe; from whence it is apprehended that the same has been, and may hereafter be brought into the kingdom of Great Britain and islands thereto belonging, unless some effectual means are used for prevention thereof: be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to and for the King's most excellent majesty, his heirs and successors, from time to time, as often as he or they shall find it necessary so to do, by his or their royal proclamation, to be issued by and with the advice of his or their privy council, or by his or their order in council, to be published in the London Gazette, to prohibit generally, or from any particular country or countries, or from the isles of Alderney, Jersey, Guernsey, or any of the islands or dominions belonging to Great Britain, the importation of any cattle, or of any manner of hides or skins, horns or hoofs, or any other part of any cattle or beast, or any hay, straw, litter, fodder, package, or any other things that have been or may be employed about infected cattle, or the hides, or any other part of such cattle, or have been in or near any places where there has been any such infection, and are liable to retain the same, into the kingdoms of Great Britain or Ireland, or into any of the islands or dominions thereto belonging; and also the exportation of any such cattle or things as aforesaid, from or out of the same, or any part thereof coastwise, or into any other parts, for such time or times, to be therein mentioned, and with such powers and authorities to magistrates, constables, inspectors, officers, and others nominated or appointed in that behalf, for stopping, seizing, or destroying such prohibited things upon any such importations and exportations as aforesaid, with like authority in that behalf, as any officer and officers have by any law now in being in cases of prohibited and uncustomed goods; and under such rules, orders, and regulations, as his Majesty, his heirs and successors, by the advice aforesaid, shall judge most expedient and effectual to prevent any contagious distemper from being brought into these kingdoms, or spread in any part thereof; any law, statute, custom or usage to the contrary notwithstanding.

His Majesty
impowered to
prohibit the
importation of

cattle, hides,
&c.

from places
where, or near
whereto, there
has been any
infection;
and likewise
to prohibit the
exportation
thereof coast-
wise,
under like
powers of
seizure, &c.
as in the case
of uncustomed
goods, &c.

Personal ac-
tions, &c.
commenced
for acts done

II. And it is hereby further enacted, That all personal actions and suits, indictments, informations, and all prosecutions and proceedings whatsoever, which have been or shall be pro-

prosecuted or commenced against any person or persons, for or by reason of any act, matter, or thing, advised, commanded, appointed, and done by virtue of any order or orders issued by his Majesty in council in relation to the premises, or of any contract or agreement not performed by means of or in obedience to such order or orders of council, be, are, and shall be discharged and made void by virtue of this act; and that if any action or suit shall be commenced or prosecuted in that part of *Great Britain* called *England*, against any person or persons for any such act, matter, or thing, so advised, commanded, appointed, or done, or such contract or agreement not performed, he, she, or they, may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff or plaintiffs in any action or suit so to be commenced or prosecuted, shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if judgement shall be given upon any verdict or demurrer against such plaintiff or plaintiffs, the defendant or defendants shall and may recover double costs, and shall have the like remedy for the same, as any defendant or defendants hath or have in other cases by law; and if any such action, prosecution or suit as aforesaid, shall be commenced or pursued in that part of *Great Britain* called *Scotland*, or in the kingdom of *Ireland*, the respective court before whom such action, prosecution or suit shall be commenced or pursued, shall allow to the defender the benefit of the discharge and indemnity hereby provided, and shall further allow to him his double costs of suit in all such cases as aforesaid.

III. And, for the better preventing the spreading of such infection, and putting a stop to the disorder, be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the King's most excellent majesty, his heirs and successors, by and with the advice of his or their privy council, from time to time to make such provisions, rules, orders and regulations, and to vary or repeal the same, as his Majesty in his great wisdom shall judge most expedient and effectual, in *Great Britain*, *Ireland*, and all other his Majesty's dominions thereunto belonging, or any part or parts thereof, for or concerning the driving and removing, or the prohibiting or preventing the driving and removing of any cattle infected or not infected with the said distemper, as the occasion may require, from or out of any such county, riding, division, hundred, parish or place, to any fair or market, or to any other such county, hundred, parish or place, as shall for that purpose be specified in such rules, orders or regulations; and for or concerning the buying up, seizing, or killing any such cattle for the sake of stopping or preventing infection; and making reasonable satisfaction thereupon to the owner or owners of such cattle; and for prohibiting the sale, disposition or other use of any such cattle as shall or may be infected with the said distemper, or of any manner of hides or skins, horns or other parts of such infected cattle; and also for destroying such fodder,

in obedience to orders in council, discharged.

Defendant in England may plead the

General issue,

and recover double costs.

Like indemnity extended to defenders in Scotland and Ireland,

His Majesty empowered to make orders in council, concerning the removal of cattle.

and buying up, and killing thereof,

and making satisfaction for the same, and prohibiting the sale of infected cattle, hides, &c.

and destroy-
ing fodder,
&c. and purifying
stables, &c.
and the bu-
rial, and man-
ner of burial,
of beasts dying
of the infec-
tion.

der, litter and other things as have been used about or breath-
ed upon by any infected cattle; and concerning the washing,
cleansing, and otherwise purifying all stables, out-houses,
yards, and other places where any such cattle have been; and
also for the burial of any such beasts as shall die of such in-
fectious distemper, or be killed on account of or for the sake
of stopping or preventing infection, and every part thereof,
within such time, at such depth under ground, so fastened and
staked down, and in such manner in all respects as shall be
specified in such orders as aforesaid; any statute, custom or
usage to the contrary notwithstanding.

Orders in
council of 7,
14, and 22 Dec.
1769,

IV. *And whereas the said orders made by his Majesty in council, bearing date the seventh, the fourteenth, and the twenty-second days of December, one thousand seven hundred and sixty-nine, so confirmed as aforesaid, have been found beneficial; be it therefore enacted by the authority aforesaid, That the same, and all the provisions, powers, and authorities, rules, orders, and regulations therein contained and inserted (except such and so much of them, or any of them respectively as his Majesty, his heirs and successors, at any time or times, shall, with the advice of his and their privy council, judge proper and expedient to repeal, alter, or vary) shall be in force; and the same, and also all such others, and such variations and additions, and for such further purposes as his Majesty in his great wisdom shall judge most expedient and effectual to put a stop to or prevent the spreading of such distemper, as shall be made by virtue of and in pursuance, and under the power and authority of this present act; shall be observed and obeyed by all his Majesty's subjects under the penalty of ten pounds, inflicted and directed to be levied by this act, for each and every offence committed against the same.*

except repeal-
ed or altered;

and likewise
subsequent
orders,

to be obeyed,
on pain of
10l. for every
offence.

Powers given
to magistrates
and officers
by such or-
ders,

declared valid.

V. *And it is hereby further enacted and declared, That all and every the powers and authorities given by the aforesaid orders of council, or which shall be given by any subsequent order or orders of council, by virtue of the authority aforesaid, to justices of the peace and other magistrates, and to commissioners of the land tax, inspectors, and other officers appointed in that behalf; shall be duly executed, and are hereby established and enacted, and declared to be as good and valid in the law, to all intents and purposes, during the continuance of the said order or orders, and of this act, as if the same were herein repeated and expressly enacted.*

After 24 June,
1770, persons
who shall pre-
vent magis-
trates or of-
ficers from ex-
ecuting such
orders,

or who shall
enter into

VI. *And be it further enacted, That from and after the twenty-fourth day of June, one thousand seven hundred and seventy, all and every person and persons who shall, by force or threats, intimidate, hinder, or prevent the said justices, magistrates, commissioners, inspectors, officers, or other persons nominated or appointed in that behalf, from executing the said rules, orders, and regulations, or any of them, or from performing their respective duties in relation thereto; or who shall enter into any agreement, combination, confederacy, as-*
so-

sociation, or subscription, to disobey the said order or orders in council, or to defeat, hinder, or prevent the execution thereof, shall forfeit and pay the sum of fifty pounds; to be recovered by bill, plaint, suit, or information, in any of his Majesty's courts of record at *Westminster*, by any person or persons who shall inform and sue for the same; to go and be paid to and for the sole use and benefit of such person or persons respectively, with full costs of suit.

combinations to disobey or defeat the same, forfeit 50l. to the sole use of the professor.

VII. *And, to the end that all persons whom it may concern, may know how to demean themselves in the premises*, be it further enacted by the authority aforesaid, That this act, and his Majesty's said orders in council, and such others as shall be made in pursuance of this present act, shall be publicly read, immediately after prayers, on such *Sunday* in every calendar month as the minister shall think proper, in all such parish churches, chapels, and other places set apart for divine worship, as his Majesty, his heirs or successors, in council, shall at any time hereafter direct and appoint in that behalf: and that when and as often as his Majesty, his heirs, or successors, shall make any further rules, orders, and regulations, or shall vary or repeal the same by virtue of or in pursuance of this act, every such rule, order, regulation, variation, and repeal, shall be notified and published in such manner as his Majesty shall think proper, and shall be publicly read upon the next *Sunday* after the receipt of the same, and on such *Sunday* in every calendar month as the minister shall think proper, during the time such rules, orders, regulations, and variations shall continue in force, in such manner as aforesaid, within such counties, ridings, divisions, hundreds, parishes, and places as shall be specified in such rules, orders, regulations, variations, and repeals for that purpose; and every such order, rule, regulation, variation, and repeal, together with this act, shall be kept by the minister of every such parish church, chapel, or place, who shall permit any person residing within his parish, chapelry, or place, to read the same during the time such rule, order, or regulation shall continue in force; and the churchwardens or chapelwardens of every such parish or place shall provide a printed copy of this act for the purposes aforesaid, at the expence of the parish or chapelry.

This act, and the orders in council, to be read in such churches and chapels as his Majesty shall appoint;

and likewise subsequent orders.

Act and orders to be kept by the minister, who is to permit his parishioners to read the same.

Churchwardens to provide copies of this act, at parish expence.

When Quarter sessions prohibit the holding of fairs or markets for horned cattle,

VIII. *And, to prevent the dislemper amongst the horned cattle being spread and increased by tanners and others buying the hides and skins of infected beasts*, it is hereby further enacted, That when the justices of the peace at their general quarter session, or at any adjournment thereof, within their respective counties, ridings, and divisions, pursuant to and during the continuance of such order or orders as aforesaid made in that behalf, shall prohibit the holding of any fair or fairs, market or markets, for buying and selling of such horned cattle; every tanner, tawer, or dresser of hides and skins, shall, before he brings any raw hide or skin of any bull, ox, cow, calf, steer, or heifer into his tan yard, workhouse, warehouse, or place used for

Tanner, &c. to give notice to excise officer in whose survey his tan yard, &c. is situated, and produce certificate of justice, &c. specifying the colour of the skin, and name and abode of the owner, and that the beast it was taken from was free from infection. Officer to enter certificate. Tanner, &c. neglecting, to forfeit 10 l.

Excise officer to be permitted, on request, to enter and search tan yard, &c.

10 l. penalty on obstructing him.

for dressing or manufacturing of hides or skins, give notice to the officer of excise of the district in which such tan yard or dressing place is situated, and whose survey the said tanner, tawer, or dresser of hides shall be under and subject to for the time being, and produce to the said officer a certificate, under the hand and seal or hands and seals of one or more justice or justices of the peace, or commissioner or commissioners of the land tax, rector or vicar, qualified as herein after mentioned, specifying the colour of such hide or skin, the name and place of abode of the owner of such hide or skin, and that upon examination on oath of one or more credible person or persons, it appeared to the person or persons signing and sealing such certificate, that the beast from which such hide or skin was taken was found, and free from any infection; which certificate shall, by the said officer, be entered into a book to be kept for that purpose: and if any tanner, tawer, or dresser of hides or skins, during the continuance of this act, and of such order or orders as aforesaid, and in disobedience to the same, shall bring or suffer to be brought into his tan yard or tan pits, or other place used for dressing or manufacturing hides or skins, any such raw hide or skin, or shall tan or dress, or manufacture any such raw hide or skin, without giving such notice, and producing such certificate as aforesaid; every person so offending shall, for every such offence, forfeit the sum of ten pounds; to be recovered, levied, and applied, as the several forfeitures are, by this act, directed to be recovered, levied, and applied.

IX. And it is hereby further enacted, That all and every or any of the officers of excise, acting and employed in any district wherein any tan yard, workhouse or warehouse, or place for dressing or manufacturing of hides or skins is situate and being, shall and may, during the continuance of this act, and of such order or orders made as aforesaid by virtue and under the authority of the same, at all times, by day or by night (and if in the night, then in the presence of a constable or other officer of the peace) be permitted, upon his or their request, to enter into any such tan yard, workhouse, warehouse, or place, in order to search for hides and skins suspected to be brought and conveyed into the same respectively, contrary to and against the tenor and true meaning of this act and of such orders as aforesaid; and then and there to search and examine, or cause to be searched or examined, any tan pit, vat, or other place where any such hide or skin is suspected to be laid, hid, put, or concealed: and if any tanner, tawer, or other person or persons whatsoever, shall obstruct or hinder any such officer or officers in the execution of his or their duty, power, or authority given to, vested in, and required of him and them respectively by this act, and any orders made in pursuance of the same; every person so offending, and being thereof lawfully convicted as aforesaid, shall, for every such offence, forfeit

feit and pay the sum of ten pounds; to be recovered, applied, and disposed of in manner herein after mentioned.

X. *And whereas it may become necessary to encourage and promote the breeding of cattle, the number being at any time greatly decreased by such mortality,* be it therefore enacted by the authority aforesaid, That in such case, it shall and may be lawful for his Majesty, by advice of his privy council, to prohibit and forbid the killing or slaughtering of cow calves in such counties and places, and in such manner, and at such times, as his Majesty shall judge proper; and all and every person, offending against such order and prohibition, shall forfeit and pay the sum of ten pounds; to be recovered, levied, and applied, as other forfeitures by this act are to be recovered, levied, and applied.

His Majesty empowered to prohibit the killing of cow calves,

on penalty of 10 l.

XI. *And, to prevent any doubts which may arise in the construction of this act,* be it further enacted by the authority aforesaid, That the removal, driving, or sale of every ox, bull, cow, calf, steer, or heifer, contrary to any such rule, order, or regulation, as aforesaid, shall be deemed a distinct and separate offence within the intent and meaning of this act; any thing herein contained to the contrary notwithstanding.

Removal, &c. of beast contrary to order, to be deemed a separate offence.

XII. And be it further enacted by the authority aforesaid, That all and every the rules; orders, regulations, and variations, to be made by virtue and in pursuance of this act, are hereby required to be punctually observed and obeyed by all his Majesty's subjects; and all and every person and persons who shall offend against any such rule, order, regulation, or variation, and shall be thereof convicted in *Great Britain or Ireland*, by his, her, or their own confession, or by the oath or oaths of one or more credible witness or witnesses, before any justice or justices of the peace for any county, riding, division, city, liberty, or town corporate, where such offence or offences shall be committed (which justice or justices is and are hereby empowered and required to hear and determine the same, and to examine any witness or witnesses, upon oath, concerning the same) shall forfeit and lose the sum of ten pounds; one moiety thereof to the informer, and the other moiety to the poor of the parish where such offence shall be committed; to be levied by the churchwardens, overseers of the poor, constables, high constables of the hundred, rape, or wapentake, or one or more of them, by warrant or warrants under the hand and seal, or under the hands and seals of the justice or justices of the peace who shall convict such offender, by distress and sale of the goods and chattels of such offender, rendering the overplus (if any be) to the owner thereof; and, for want of such distress, such offender shall be committed by such justice or justices to the common gaol or house of correction of such county, riding, division, city, liberty, or town corporate, there to remain for the space of three months, to be reckoned from the day of such commitment; and all and every person and persons who shall offend against any such rule, order, or regulation, in any other of his Majesty's said dominions, shall be deemed,

Every person offending against any order, &c. to forfeit 10 l.

One moiety to the informer, the other to the poor. Penalty to be levied by distress.

For want of distress to be committed for 3 months.

Persons offending in any other of his Majesty's do-

minions, to be punished according to the usage of the place.

Appeal may be made to the quarter-sessions, on giving security.

Justices to determine finally, and order costs :

except it shall appear there was not time to give notice to parties; in which case, it shall be adjourned to the next quarter-sessions.

If no determination at such adjournment, judgement to be in force.

No *Certiorari*.

Justices may summon and examine witnesses on oath.

on refusal to appear, justice may issue his warrant; and, on refusal to be examined, they may be committed, &c.

deemed, adjudged, and taken to be guilty of a great misdemeanor, and be prosecuted and punished by fine and imprisonment according to the laws and usage of the same dominions respectively.

XIII. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any person or persons who shall be convicted, before such justice or justices of the peace as aforesaid, of any of the offences against this act, to appeal from such conviction to the justices of the peace at their next general or quarter-sessions to be holden for the county, riding, division, city, liberty, or town corporate, in which such offences shall be committed; he, she, or they, giving immediate notice to such justice or justices of such intended appeal, and likewise giving security to the satisfaction of such justice or justices, to pay all and every the penalties and forfeitures to which he, she, or they, shall be liable by such conviction, and the costs, charges, and expences of trying such appeal, in case such conviction shall be affirmed; and the said justices, in their next general or quarter-sessions, are hereby authorized and required to hear, try, and finally determine the same, upon the merits of the cause, and examination of witnesses on oath; and to order costs to be paid as shall be just, if they shall think it reasonable so to do.

XIV. Provided nevertheless, That if it shall appear to the said justices, that there was not sufficient time, between such conviction and such quarter-sessions, to give notice to all parties to attend such appeal; that then, it shall and may be lawful for such justices to adjourn the hearing thereof to their next subsequent general or quarter-sessions, at which they are hereby required to hear, try, and finally determine the same; and in case there shall be no determination on the said appeal at such next or subsequent general or quarter-sessions, the judgement and conviction of the justice or justices shall stand and be in full force; and no writ of *Certiorari*, or any other process whatsoever shall be allowed, to remove the conviction or order of sessions, or any other proceedings thereupon, into any of his Majesty's courts of record at *Westminster*, or of his Majesty's courts of great Session in the principality of *Wales*, or the counties palatine.

XV. And be it further enacted by the authority aforesaid, That it shall and may be lawful for any justice or justices of the peace, if he or they shall be informed that any person or persons can give any evidence relating to any of the offences aforesaid, to summon such person or persons to appear before him or them, and to examine such person or persons on oath, in relation thereunto; and in case such person or persons shall refuse or neglect to appear pursuant to such summons, then such justice or justices shall issue out his or their warrant or warrants for apprehending and bringing such person or persons before him or them; and in case such person or persons shall refuse to be examined upon oath, to commit such persons to the common gaol or house of correction for such county, riding, division, city, liberty, or town corporate, there to remain for the space of

one

one month, or until he, she, or they, shall submit to be examined as aforesaid; and in case of any appeal to the general or quarter-sessions, to compel such person or persons to enter into a recognizance, with condition to appear at the said general or quarter-sessions, and to give evidence upon the trial of such appeal.

XVI. And be it further enacted by the authority aforesaid, That for the more easy and speedy convicting of any person or persons, who shall offend against this act, or any orders made under the authority of the same, it shall be sufficient for any justice or justices of the peace, who shall convict any person or persons of any or either of the said offences, to draw such conviction in the following form of words, as the case shall happen, or in any other form of words to the same effect (that is to say)

Convictions to be drawn up in the following form.

Middlesex.

A B is convicted, on his, her, or their own confession, (or on the oath of) of having in this kingdom, (specifying the offence, and the time and place when and where the same was committed.)

Given under my (or our) hand and seal (or hands and seals) this day of

which said conviction, in the same or like form of words, shall be good and effectual in the law to all intents and purposes, and shall not be quashed, set aside, or adjudged void or insufficient, for want of any other form of words whatsoever; and in case of appeal as aforesaid, the justice or justices who shall convict such offender or offenders, is and are hereby required to deliver, or to be delivered, the conviction, in the form aforesaid, to the next general or quarter-sessions to which the appeal is made, there to be filed on record.

In case of appeal, justice convicting to deliver conviction to next quarter-sessions.

XVII. And be it further enacted by the authority aforesaid, That the justices of the peace within the respective limits of their commissions, at their general or quarter-sessions, or the major part of them then and there assembled, within that part of Great Britain called England, shall have full power and authority, and they are hereby required to order such reasonable salaries and charges as they shall think proper, to be paid to any inspector or inspectors, or other person or persons already employed or appointed by the justices of the peace, or hereafter to be employed or appointed by the justices of the peace, or the commissioners of the land tax, to prevent the spreading of such distemper amongst the cattle, out of the monies arisen or hereafter to arise by virtue of an act of parliament passed in the twelfth year of the reign of his late majesty King George the second, intituled, *An act for the more easy assessing, collecting, and levying county rates.*

Justices may allow salaries to inspectors, &c. out of county rates, in manner prescribed by

Act 12 Geo. 2.

XVIII. And be it further enacted, That the commissioners of the land tax for the time being in and for every county, riding, or division, and who have or shall qualify themselves to act

Commissioners of the land tax

(except for *Middlesex*, or cities or towns which are counties of themselves) being duly qualified, to put this act in execution.

as such respectively, are hereby impowered and required to put in execution all and every the powers and authorities given to commissioners of the land tax by this act, or by any order or orders in council pursuant to the same (except the commissioners of the land tax within the county of *Middlesex*, and all cities and towns which are counties of themselves) in as full and ample manner as the justices of the peace may do within the same.

No person to sell any living ox, &c. till the same hath been his property 40 days;

and producing a certificate, signifying the time when he bought the same,

on penalty of 10l.

unless he shall prove, on oath, that the same hath been his property more than 40 days.

One moiety of penalty to informer, the other to the poor.

10l. penalty on giving, or knowingly receiving, a false certificate.

XIX. And, to prevent the spreading of such infectious distemper by persons buying up cattle in infected places, and soon after disposing of the same in places free from the infection, contrary to the true intent and meaning of this act, and in disobedience or contrary to the orders and regulations made, or which shall hereafter be made by his Majesty in council as aforesaid; be it enacted by the authority aforesaid, That from and after the said twenty-fourth day of *June*, one thousand seven hundred and seventy, no person whatsoever by himself, his servant or agent, during the continuance of this act, and contrary to any rule, order, regulation or prohibition made or to be made in that behalf as aforesaid in pursuance and by virtue of this present act, shall sell or dispose of any living ox, bull, cow, calf, steer or heifer, until the same shall have been the property of such person for the term of forty days at least; and during the continuance of such orders as aforesaid, in proof of such property, the seller shall produce a certificate under the hand of the person of whom such ox, bull, cow, calf, steer or heifer was last bought or purchased, signifying the time when he purchased the same; and every person who shall sell or dispose of any ox, bull, cow, calf, steer or heifer, without producing such certificate, and shall be thereof convicted by his, her, or their own confession, or by the oath of one or more credible witness or witnesses, before any justice or justices of the peace for the county, riding, division, city, liberty or town corporate where the offence shall be committed, shall, for every such ox, bull, cow, calf, steer or heifer, so sold or disposed of during the continuance of and contrary to such orders and regulations as aforesaid, forfeit and pay the sum of ten pounds; unless such person shall by himself, his agent or servant, make oath before the said justice or justices (which oath the said justice or justices is and are hereby impowered and required to administer) that the said ox, bull, cow, calf, steer or heifer has been his property for more than forty days; the said forfeiture to be adjudged, levied and recovered in such manner as is herein after directed to be levied and recovered; one moiety of the said forfeiture to be given to the informer, and the other moiety to the poor of the parish where the offence shall be committed.

XX. And be it further enacted by the authority aforesaid, That every person who shall, from and after the said twenty-fourth day of *June*, one thousand seven hundred and seventy, and during the continuance of and contrary to such orders and regulations as aforesaid, sell or dispose of any ox, bull, cow, calf, steer or heifer, and shall give a false or untrue certificate of the time

time of the sale of such cattle, and every person who shall accept of such false or untrue certificate, knowing the same to be such, shall forfeit and pay the sum of ten pounds; to be adjudged, levied, recovered, and disposed of in the manner herein after directed.

XXI. And be it enacted by the authority aforesaid, That, during the continuance of any rules, orders or regulations made or to be made in that behalf as aforesaid, if any drover, or person or persons driving and conducting horned cattle from one place to another, shall find any beast or beasts in his drift sicken upon the road, so as to be unable to proceed forward in their journey; such drover, or person or persons driving such horned cattle, shall forthwith give notice thereof to the constable, headborough or churchwarden, of the parish or place wherein such beast or beasts shall sicken, in order that the same may be slain and buried in manner as aforesaid, if deemed to be ill of the distemper now raging amongst the horned cattle, or of any infectious disease, in the opinion of the officer of such parish or place so summoned, and of two other substantial inhabitants of the said parish or place, whom the said officer is hereby impowered, by a note in writing under his hand, to summon to his assistance; and in case any drover, or person or persons driving horned cattle, shall fail herein, or shall conceal, or drive out of the way, without giving such notice, any such sick beast or beasts, contrary to the true intent and meaning of this act, and in disobedience to any rules or orders made by virtue thereof as aforesaid, he or they so offending shall forfeit and pay ten pounds to the use of the poor of such parish or place wherein such beast or beasts shall be found sick or dead; to be levied on his or their goods and chattels, by warrant under the hand and seal of any justice of the peace of the county, riding, division, liberty, city or town corporate, wherein such drover, or person or persons driving such horned cattle, shall be taken; and in case of nonpayment, such drover or person or persons shall be committed to the common gaol of such county, shire, stewartry, riding, division, liberty, city or town corporate, there to remain, without bail or mainprize, for the space of six calendar months, or until he or they shall have paid the said penalty.

Drover to give notice to constables, &c. of beasts sickening on the road,

on penalty of 10l.

to be levied by distress.

For want of distress, offender to be committed.

XXII. And, for preventing persons selling any horned cattle before they have been in their possession forty days, contrary to such orders and regulations as aforesaid, it is hereby enacted, That no person or persons during the continuance of any such orders and regulations to the contrary as aforesaid, shall sell or dispose of any live ox, bull, cow, calf, steer or heifer, unless he or they shall, besides his, her, or their compliance with such directions as aforesaid, likewise first obtain a certificate under the hand and seal of some justice of the peace or commissioner of the land tax, specifying the colours, and number of beasts so intended to be sold, and the parish, township or place from whence the same are brought or intended to be carried in order for sale, and the name or names, place or places of abode of the owner or owners thereof,

No person to sell any living ox, &c. during the continuance of order to the contrary,

without proper certificate from justice, or commissioner of the land tax,

and producing the same, and giving attested copy thereof.

sol. penalty on both buyer and seller, where certificate is not produced.

Justice suspecting any person of offending against act or orders,

may summon him to appear.

Proof of compliance to be on the party.

On non-appearance, or for want of proof of conformity, to be deemed convicted and suffer the penalties inflicted. Application of the penalty.

of, and that it appears to such justice or commissioner, upon examination on the oath of one or more credible witnesses or witnesses, that the beasts contained in such certificate have been the property and in the possession of such person or persons for at least forty days before the date of the said certificate; and every person selling any ox, bull, cow, calf, steer or heifer, by virtue of such certificate, shall produce the same, and give a true copy thereof, attested by two or more credible witnesses, to the person or persons buying such beasts; and every person selling any ox, bull, cow, calf, steer or heifer without obtaining such certificate, and every person buying the same without receiving a true copy thereof attested as aforesaid, during the continuance of, and contrary to, such orders as aforesaid, shall forfeit and pay the sum of ten pounds for every ox, bull, cow, calf, steer and heifer bought or sold contrary to the true intent and meaning hereof, to be levied, adjudged, recovered, applied and disposed of as is herein after directed to be levied, adjudged, recovered, applied and disposed of.

XXIII. And be it further enacted by the authority aforesaid, That if one or more justice or justices of the peace shall suspect any person of buying, selling or driving any ox, bull, cow, calf, steer or heifer, or of taking off the hide from any infected ox, bull, cow, calf, steer or heifer which shall die of the said distemper, contrary to the true intent and meaning of this act, and the rules, orders, and regulations made or to be made as aforesaid by his Majesty in council in pursuance thereof, or of not burying any ox, bull, cow, calf, steer or heifer, contrary to this act, and orders made in pursuance of the same; it shall and may be lawful for such justice or justices to summon such person to appear before him or them at a reasonable time to be prefixed in such summons; and the proof of complying with the directions of this act, and orders made or to be made as aforesaid, shall lie on the party so summoned; and if such person shall neglect or refuse to appear before such justice or justices (proof being made upon oath of his or their being duly summoned) or shall not make it out to the satisfaction of him or them that he or she has fully conformed himself or herself to this act, rules, and orders as aforesaid; such person shall be deemed and taken to be duly convicted of the offence or offences for which he shall be so summoned, and incur the several penalties and forfeitures inflicted by this act, to be levied, recovered, and adjudged, in manner as is herein after mentioned; one moiety of the said forfeiture to be paid to the overseer of the poor, and applied to the use of the poor of the parish where such person dwells; and the other moiety to the treasurer of the county, riding, or division, to be made part of the county stock, or, in that part of *Great Britain* called *Scotland*, to such person, and for such purposes, as the justices in their general quarter-sessions shall direct and appoint.

XXIV. And, for the more effectual preventing the spreading of such infectious distemper by persons commonly called *Jobbers*, who, occupy-

occupying little or no grazing land, buy up cattle in infected places, and soon after dispose of the same, be it enacted by the authority aforesaid, That from and after the said twenty-fourth day of *June*, one thousand seven hundred and seventy, no person whatsoever (butchers and others excepted buying fat cattle for immediate slaughter) during the continuance of, and contrary to any such orders made in that behalf as aforesaid, shall purchase any living ox, bull, cow, calf, steer or heifer, without having first obtained a certificate under the hand and seal of some justice of the peace or commissioner of the land tax acting for the county, riding, division, city, liberty, town, or place, where such person resides, specifying his or her name and place of abode, and the number of beasts he or she intends to purchase, and whether such beasts are intended to be purchased by him or herself, or by an agent, or servant; and if by an agent or servant, then the name and place of abode of such agent or servant; and that it appears to such justice or commissioner, upon examination on or agent; the oath of one or more credible witness or witnesses, that such person really occupies land sufficient to graze and keep the number of beasts contained in such certificate, over and above the stock such person is at present possessed of, for the space of three months: and that it may appear no more beasts were brought than were contained in such certificate, every such person shall, upon bringing any cattle into any parish or place bought in pursuance of such certificate and orders made in that behalf as aforesaid, produce and shew the said certificate to an inspector, churchwarden, or overseer of the poor, if any there be of such parish or place; and shall at the same time acquaint such inspector, churchwarden or overseer, with the place where, and the name of the person of whom such beasts were purchased; and the said inspector, churchwarden, or overseer, is hereby required to mark on the back of the said certificate, the number of beasts so brought into any parish or place, and the place where, and the name of the person of whom such beasts were purchased, and the day when such certificate was so produced: and if any person or persons (butchers or others buying fat cattle for immediate slaughter excepted as aforesaid) shall, from and after the said twenty-fourth day of *June*, one thousand seven hundred and seventy, buy any ox, bull, cow, calf, steer, or heifer, during the continuance of, and contrary to such orders as aforesaid, without previously obtaining such certificate, or shall buy more than the number contained in the same, or shall not produce the said certificate to an inspector, churchwarden, or overseer of the poor; every such person shall, for every beast bought contrary to the true intent and meaning hereof, forfeit and pay the sum of five pounds; the said penalty to be levied, adjudged, recovered, applied, and disposed of, as is herein after directed.

XXV. Provided always, That no cattle shall be deemed to be bought by virtue of such certificate as aforesaid, unless the same are purchased within one month from the date thereof.

XXVI. And be it further enacted by the authority aforesaid, That when and as often as any cattle shall be stopped for want

No person, except butchers for immediate slaughter, to purchase living ox, &c. without a certificate,

specifying his name and abode, number to be purchased, and whether by himself or agent; (and if by agent then such agent's name and abode) and that he occupies land sufficient to graze such number, above his present stock, for 3 months. On bringing cattle into any place, certificate to be produced. Inspector &c. to indorse the same. Penalty 5l.

Cattle to be bought within a month of date of certificate. If cattle are stopped for want of certificate,

constable, &c. to send them back to the last constablewick,

and give notice thereof to the proper officer, who is to receive them; and they are to be proceeded against in like manner, till they arrive at the first township through which they passed; and be treated like cattle which have been within a mile of an infected place.

Matters directed to be done by overseers and churchwardens in England, are, in Scotland, to be done by such officers as quarter-sessions shall appoint.

Commissioners of the land tax in Scotland to assess their counties for expenses of executing this act.

Pecuniary penalties may be recovered by conviction before justices,

or by action of debt, &c.

of a proper certificate, pursuant and in obedience to such orders as aforesaid, the constable, or other proper officer of the township or parish where the said cattle shall be so stopped, shall cause such cattle, with all convenient expedition, to be driven back to the next constablewick from whence they last came; and shall give notice thereof to the constable, or other proper officer of such next constablewick, who shall, and he is hereby required to receive the said cattle, and to cause the same to be driven through his constablewick to the next constablewick from whence such cattle were driven, the constable or other parish officer whereof shall receive the same as aforesaid, and so from constablewick to constablewick until such cattle shall arrive at the first township or place in the said county, riding, division, or liberty, through which they were suffered to pass without a proper certificate, they shall be treated in such and the like manner as cattle which have been within one mile of an infected place are by this act, or by any of his Majesty's orders of council made or to be made in that behalf, deemed to be treated.

XXVII. *And whereas there are no such officers as overseers of the poor and churchwardens in that part of Great Britain called Scotland; therefore, in order to carry this act, in that part of the united kingdom, into execution;* be it enacted by the authority aforesaid, That all matters and things appointed to be done and executed by the overseers of the poor and churchwardens in that part of Great Britain called England, shall, in Scotland, be done and executed by the constables, inspectors, or other officers to be appointed by the justices of the peace for that purpose, at their respective quarter-sessions, or any adjournment thereof.

XXVIII. *And in order to make provision, in that part of the united kingdom called Scotland, for any expence that may attend the execution of this service,* be it enacted by the authority aforesaid, That it shall and may be lawful for the commissioners of the land tax, and they are hereby empowered to assess their respective counties in a sum not exceeding fifty pounds for each county, to be levied and collected in the same proportions, and according to the same rules with the land tax; and which sum the respective collectors of the land tax for each county are hereby required to collect and issue, by order of the respective justices of the peace, or the major part of them assembled at the quarter-sessions, or adjournment thereof.

XXIX. And it is hereby further enacted, That whosoever any person shall, for any offence to be hereafter committed against this act, or any law now in being relating to the preventing the spreading of the contagious distemper amongst the horned cattle in this kingdom, be liable or subject to pay any pecuniary penalty or sum of money, upon conviction before any justice or justices of the peace; it shall and may be lawful for any other person whatsoever, either to proceed to recover the said penalty by information and conviction before any justice or justices of the peace, in such manner as is directed by this act, or to sue for the same by action of debt or on the case, bill, plaint, or information, in any of his Majesty's courts of record; where-
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in no effoin, protection, or wager of law, or more than one imparlance shall be allowed; and wherein the plaintiff, if, he recovers, shall likewise have his double costs.

XXX. Provided, That all suits and actions to be brought by virtue of this act, shall be brought before the end of the next term after the offence committed; and that no offender against any of the laws now in being, for the preventing the spreading of the distemper which now rages amongst the horned cattle, shall be prosecuted twice for the same offence.

XXXI. And be it further enacted by the authority aforesaid, That all the commissioners of the land tax, and rectors or vicars who are rated to the land tax for one hundred pounds *per annum* shall, in their respective parishes, and they are hereby empowered to grant certificates of health for cattle, in as full and ample manner as any justice or justices of the peace are empowered in any manner whatsoever to do; for which said certificates no fee or reward whatsoever shall be taken.

XXXII. And be it further enacted by the authority aforesaid, That from and after the twenty-fourth day of *June*, one thousand seven hundred and seventy, all persons whatsoever taking upon them to grant certificates in pursuance of this act, or his Majesty's orders relating thereto, shall set forth, in every such certificate, by virtue of what office he grants such certificate, whether as justice of the peace for any county, city, or borough, commissioner of the land tax, or otherwise; and in case any person shall neglect so to do, such person shall, for every such offence respectively, forfeit and pay the sum of ten pounds of lawful money of *Great Britain* for every such neglect; to be recovered by action of debt, bill, plaint, or information, in any of his Majesty's courts of record at *Westminster*, with full costs of suit; wherein no effoin, privilege, protection, or wager of law, or more than one imparlance shall be allowed.

XXXIII. And be it further enacted by the authority aforesaid, That the justices of the peace within their respective divisions, at their petty sessions, or the major part of them then and there assembled, within that part of *Great Britain* called *England*, shall have full power and authority, by virtue of this act, and any order or orders made or to be made in that behalf as aforesaid, to appoint any person or persons to be inspector or inspectors of any houses, buildings, grounds, fields, and cattle, within their said divisions, to be assistant to the constables, churchwardens, and overseers of the poor; in such manner as the justices of the peace, at their general quarter-sessions, were, by his late Majesty's order in council, dated the twenty-second of *March*, one thousand seven hundred and forty-seven, empowered to do.

XXXIV. Provided, That no seller or buyer of any such cattle as aforesaid shall be obliged, in consequence of such order or orders as aforesaid, to take out either of the said certificates, where both the seller and buyer live in the same parish, or in the next adjacent parish or place, or within five miles distance of each other: provided that the seller of such cattle has been in the same parish, or within five miles of the

Plaintiff recovering, to have double costs.

Limitation of actions.

All commissioners of the land tax, rectors, and vicars, rated to land tax for 100l. per ann. authorised to grant certificates.

Person granting certificate, to set forth by virtue of what office he grants it.

10 l. penalty on neglect.

Quarter sessions to appoint inspectors,

in manner directed by order in council of 22 Mar. 1740.

No certificate need be taken out, where buyer and seller live in the same parish, or within five miles of

Each other; provided the seller has been in possession of such cattle 40 days, and the buyer keeps them 3 months, and distemper be not within 10 miles of seller's abode, and both live in the same county.

the possession of the cattle so to be sold forty days at the least before such sale; and so as the buyer keeps the said cattle three months at the least from the time he purchases the same; and so as the infectious distemper amongst the horned cattle be not within the space of ten miles of the sellers abode, and that the seller and buyer live in the same county; any thing in this act to the contrary notwithstanding.

XXXV. *And whereas the magistrates of some corporations situated within counties at large, may in some places presume to hold fairs and markets for the sale of horned cattle, when the justices of the peace for the county at large may have prohibited fairs and markets to be holden in the said county, pursuant to and during the continuance of orders made in that behalf as aforesaid, which in a great measure will frustrate the said prohibition, and occasion many disputes; be it therefore further enacted by the authority aforesaid, That from and after the said twenty-fourth day of June, one thousand seven hundred and seventy, where the justices of the peace for any county at large have already prohibited, or shall hereafter think proper to prohibit fairs and markets to be holden for the sale of horned cattle within such county, such prohibition made as aforesaid shall be deemed and taken to extend to all corporations within such county, or surrounded by or lying contiguous to such county; any charter, privilege, or exemption to the contrary notwithstanding: and in case any such magistrate shall wilfully and knowingly proclaim or give notice, or cause to be proclaimed or notice to be given of any fair or market for horned beasts, or shall wilfully and knowingly permit any horned beast to be brought into, or sold at any fair or market within his jurisdiction, during such prohibition as aforesaid, such magistrate shall forfeit and pay the sum of one hundred pounds of lawful money of Great Britain, to any person who shall sue for the same in any of his Majesty's courts of record at Westminster, wherein no essoin, privilege, protection, wager of law, or more than one imparlance shall be allowed.*

Prohibition of fairs and markets made by justices of counties at large, extended to corporations within or contiguous to such counties.

100l. penalty on magistrate offending.

Magistrates, &c. not to certify for any beasts or hides, but such as have been kept or slaughtered within their jurisdiction.

on penalty of 20l.

XXXVI. *And be it further enacted, That from and after the twenty-fourth day of June, one thousand seven hundred and seventy, no justice of the peace or other magistrate of any corporation, or commissioner of the land tax for such corporation, or rector or vicar within any corporation, during the continuance of such orders as aforesaid, shall certify for any horned beast but such as have been kept within his jurisdiction for the time required by law, nor for the hide of any beast but such as have been slaughtered within his jurisdiction; any former law or statute to the contrary notwithstanding: and in case any such magistrate shall take upon him to grant certificates otherwise than as aforesaid, such magistrate shall forfeit and pay the sum of twenty pounds of lawful money of Great Britain, for every certificate so granted, to any person or persons that shall sue for the same; to be recovered by action of debt, bill, plaint or information, in any of his Majesty's courts of record at Westminster, with full costs*

costs of suit; wherein no essoin, privilege, protection, wager of law, or more than one imparlance shall be allowed.

XXXVII. And be it further enacted by this act, That it shall and may be lawful for any four or more of the justices of the peace of any county within this realm, at their general quarter-sessions, or any adjournment thereof, upon information given to them that such distemper is in any neighbouring county, to prohibit for a certain time, or until the distemper shall cease in such county, any ox, bull, cow, calf, steer or heifer from being driven or removed, or any hides, skins or flesh carried from such county, or from any hundred, lathe, wapentake, rape, ward or other division of such county so infected, into the county so making such order; and in case any person shall act contrary to such order, such person shall incur the penalties and forfeitures herein before enacted against persons driving cattle without certificates.

4 Justices at general quarter-sessions, &c. on information that distemper is in any neighbouring county, may prohibit cattle, &c. being brought from thence into their county. Penalty on disobeying their prohibition.

XXXVIII. And be it further enacted by the authority aforesaid, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants in such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and that the same was done in pursuance and by authority of this act, or of some rule, order or regulation made or to be made in pursuance of this act: and if it shall appear so to have been done, then the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant or defendants shall have appeared; or if judgement shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as the defendant or defendants hath or have in other cases by law.

General issue.

Treble costs;

XXXIX. And be it further enacted by the authority aforesaid, That this act shall continue and be in force until the twenty-ninth day of *September*, one thousand seven hundred and seventy-one, and from thence to the end of the then next session of parliament.

Act to continue till 29 Sept. 1771, &c.

C A P. XLVI.

An act for establishing a lottery, and for other purposes therein mentioned.

Preamble, reciting act 2 Geo. 3. Persons possessed of annuities in the joint stock of 4 per cents, and who have or shall signify their consent, in books opened at the bank, to accept of an annuity of 3 l. per cent. to commence from 5 Jan. 1770, are intitled, for every 100 l. to 100 l. in the joint stock of 3 per cents, and to two lottery tickets; and to have a receipt for 4 l. in part of 14 l. for each ticket, &c. Subscribers to pay in respect of every ticket, &c. 1 l. by 15 June; 2 l. by 20 July; 3 l. by 21 Aug. and 4 l. by 25 Sept. 1770; tickets to be delivered to subscribers completing their subscriptions. Contributors paying in the whole of their subscriptions by 17 August, to be allowed interest after the rate of 3 l. per cent. to 25 Sept. 1770. In case any tickets shall remain unsubscribed, any persons may contribute for the purchase of them, at 14 pounds per ticket. On making

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ing the following deposits, viz. of 4*l.* by 10 May, 1*l.* by 15 June, 2*l.* by 20 July, 3*l.* by 21 Aug. and 4*l.* by 25 Sept. 1770. On completing subscription, tickets to be delivered to contributors. Contributors paying in the whole of their subscriptions by 17 Aug. to be allowed interest after the rate of 3*l.* per cent. to the 25th of Sept. 1770; to be paid by the cashier. Cashier of the bank to give security for duly accounting for, and paying over the said monies into the exchequer. Treasury to apply the money to the service voted this session. 500,000*l.* to be distributed into prizes; and paid into the bank, out of the supplies granted this session. Managers and directors of the lottery to be appointed by the treasury. Method of the lottery books. Ticket. Managers to examine the books with the tickets, and deliver them after to the cashiers of the bank, taking a receipt for the same. Cashiers to return the books, with the undisposed tickets, with an account of the monies paid in. The undisposed tickets to be delivered into the exchequer, &c. Tickets of the middle columns to be rolled up, and fastened with silk; and cut off indentwise into a box marked with the letter (A). Box to be locked up and sealed. Books to be prepared with two columns, on each of which 50,000 tickets to be printed. The number and value of the fortunate tickets. 1,000*l.* to the first-drawn ticket, &c. and 1,000*l.* to the last-drawn. Tickets of the outermost columns of the last-mentioned book to be rolled up and tied, and cut out indentwise into a box marked with the letter (B). Box to be locked up and sealed. Business of rolling up the tickets, &c. to be performed within six days preceding the drawing. Public notice to be given of the times of putting the tickets into the boxes. Lottery to begin drawing on 19 Nov. 1770. Method to be observed in drawing, &c. After each day's drawing, the boxes to be locked up and sealed. Numbers of the fortunate tickets, and the sums, to be printed. Disputes relating hereto, to be adjusted by the managers. Penalty of forging, &c. tickets or certificates, felony. Managers to be sworn. The oath. Cashier to receive the sums subscribed, before receiving the lottery book; and to give a note for the same; the bearers intitled thereupon to one lottery ticket for every 14*l.* so paid. Contributors not making good their payments within the times limited, forfeit their deposits with respect to the lottery; and the tickets for such sums to be delivered back into the exchequer. Treasury to pay the managers, and defray the incidental expences. Limitation of the sale of chances, &c. Penalty. Office-keepers, &c. selling shares in tickets of which they are not possessed, forfeit 500*l.* Offences committed in Ireland against acts for preventing unlawful lotteries, made punishable, and the penalties may be sued for in Dublin. The sum of 500,000*l.* payable in respect of the fortunate tickets, is charged upon the aids in general granted this session; and to be paid at the bank without deduction. After the drawing of the lottery, the tickets to be exchanged for certificates. Managers to give notice of the time for taking in the tickets, and delivering out the certificates, &c. Certificates to be numbered. Books to be kept for entering the names of persons bringing tickets to be exchanged, &c. Certificates to be signed, &c. Treasury to discharge all incident charges attending the execution of this act. No fee to be taken for receiving or paying the contribution monies, or for issuing receipts or monies, on penalty of 20*l.* Annuities subscribed to in pursuance of this act, to be deemed part of the joint stock of 3*l.* per cent. annuities transferrable at the bank, and to be payable out of the sinking fund; subject to redemption by parliament. Annuities to be deemed personal estates, not descendable to heirs, nor liable to foreign attachment. Such part of the joint stock of 4*l.* per cent. annuities as shall be subscribed for at the rate of 3*l.* per cent. to be understood to be redeemed after 5 April, 1770. Bank to continue a corporation till these annuities are redeemed. Bank not to incur any disability. General issue. Treble costs.

C A P. XLVII.

An act for better regulating persons employed in the service of the East India company, and for other purposes therein mentioned.

WHEREAS by an act passed in the seventh year of the Preamble, re-
 reign of his late majesty King George the First, intituled, *citing act*
 An act for the further preventing his Majesty's subjects from ^{7 Geo. 1.}
 trading to the East Indies under foreign commissions, and for
 encouraging and further securing the lawful trade thereto; and
 for further regulating the pilots of *Dover, Deal,* and the *isle of*
Thanet; it was amongst other things enacted, *That it should and*
might be lawful to and for his Majesty's attorney-general for the time
being, at the relation of the said company, or by his own authority, to
exhibit a bill or bills of complaint in his Majesty's court of exchequer,
against any person or persons trading, dealing, trafficking, or adven-
turing, at any time from and after the said twenty-fourth day of
June, one thousand seven hundred and twenty-one, in, to, or from
the East Indies, or places therein before mentioned, contrary to law;
or against any person or persons concerned as agent, factor, or copart-
ner with such illegal traders; for discovering of such their trading,
dealing, trafficking, and adventuring, and for recovering of such du-
ties and damages as are therein and herein after-mentioned: waving
or disclaiming, in every such bill, all the penalties and forfeitures in-
curred by such person or persons for the matters in such bill or bills
contained; and that such person or persons should answer the said bill
or bills, and not plead or demur to the discovery thereby sought; and
pay to his Majesty the customs and duties of the goods and merchan-
dizes arising, produced, or purchased by the said unlawful trade,
traffick, or adventuring; and should answer and pay to the said com-
pany for the same thirty pounds per centum, according to the value
thereof in England: and whereas the said sum of thirty pounds per
centum so enacted to be paid to the said united company, as and for
damages on account of such illicit trade as aforesaid, hath been found
inadequate and insufficient for preventing the said illicit trade, and
for making good to the said company the damage they have sustained
thereby: now, for the more effectually preventing such illicit trade,
and for making a better compensation or recompence to the said united
company, by way of damages, for any loss or prejudice they may sus-
tain by the illicit practices aforesaid, be it enacted by the King's
most excellent majesty, by and with the advice and consent of
the lords spiritual and temporal, and commons, in this present
parliament assembled, and by the authority of the same, That
from and after the passing of this act, all and every person or
persons, adventurer or adventurers, prosecuting or concerned
in such illicit trade, traffick and dealings as aforesaid, shall, over
and besides the duties and customs by law payable to his Ma-
jesty, forfeit and pay to the said united company the sum of one
hundred pounds per centum, according to the value, in England,
of the goods, merchandizes, and effects, so illicitly traded,
traf,

Persons concerned in illicit trade to pay to East India company 100l. per cent *ad valorem*, over and above the duties, instead of former penalty;

to be recovered
as by act
7 Geo. 1.

trafficked, or dealt in, instead and in lieu of the said sum of thirty pounds *per centum*, mentioned in the said act; which said sum of one hundred pounds *per centum*, shall and is hereby directed to be sued for and recovered in such and the like manner, as in and by the said recited act made in the seventh year of the reign of his said late majesty King George the First, is prescribed and enacted, with respect to the said sum of thirty pounds *per centum*; any thing therein to the contrary notwithstanding.

Persons in the
service of East
India company
transporting any war-
like stores,

or assisting
therein, with
intent to dis-
pose of the
same in the
East Indies,
or within the
limits of the
company's
trade,
may be prose-
cuted in the
court of
King's Bench,
and be liable
to corporal
punishment or
fine.

Act 7 Geo. 3.

II. *And whereas sundry captains and other officers and mariners of ships, in the service of the said united company, bound to India, do oftentimes in a clandestine manner carry and transport to the East Indies aforesaid great quantities of artillery, ordnance, musquets, fire arms, ammunition, and warlike stores, and there sell and dispose thereof to the natives, and also to powers in those parts at war or in enmity with the said united company, or to other persons through whose hands the same do or may come to the use of such powers; to the great injury of the publick, as well as of the said united company and their possessions and trade in India: therefore, to the end that such evil practices may for the future be remedied and prevented, be it further enacted by the authority aforesaid, That all and every officer and officers, mariners, or other person or persons, in the service of the said united company, who shall, from and after the passing of this act, carry, transport, or send, or cause to be carried, transported, or sent to the East Indies, aforesaid, or shall put or cause to be put on board any ship in the service of the said united company trading to the East Indies, any artillery, ordnance, musquets, fire arms, ammunition, or warlike stores of any kind whatsoever, or shall knowingly aid or assist therein, without the licence or authority of the said united company, with intention or for the purpose of transporting, selling, trafficking, bartering, exchanging, or otherwise uttering or disposing of the same in the East Indies, or within the limits of the said united company's trade; shall, in every such case, be deemed and adjudged to be guilty of a high crime and misdemeanour, and as such shall and may be prosecuted for the same in his Majesty's court of King's Bench at Westminster; and such person or persons so offending being convicted, shall be liable to such corporal punishment or fine as the said court shall think fit.*

III. *And whereas, by one other act of parliament passed in the seventh year of the reign of his present Majesty, intituled, An act for regulating certain proceedings of the general courts of the united company of merchants of England trading to the East Indies, it was enacted, That no dividend should be made by the said company, for or in respect of any time subsequent to the twenty-fourth day of June, one thousand seven hundred and sixty-seven, otherwise than in pursuance of a vote or resolution, passed by way of balloting, in a general court of the said company, which shall have been summoned for the purpose of declaring a dividend, and of the meeting of which general court for such purpose, seven days notice at the least shall have been given in writing, fixed upon the Royal Exchange in London; and it was thereby further enacted, That no balloting upon any*

any question proposed in any general court of the said company, relative to any matter whatsoever, should be begun within a less space of time than eight hours after the adjournment or breaking up of the general court in which it shall have been determined that such question should be decided by balloting: and whereas the balloting for every dividend of the said company, as prescribed by the last recited act, would be attended with much inconvenience and delay, in cases where no alteration in the rate of the said company's dividend is made or intended to be made: and whereas the time or space of eight hours thereby also prescribed for taking such balloting in question, and not relative to the declaration of a dividend, is not sufficient to give the proprietors at large of the said company's stock a full and fair opportunity to exercise their right of taking such part in every such determination as they are intitled to by law: therefore, for preventing the aforesaid inconveniences for the future, be it enacted by the authority aforesaid, That from and after the passing of this act, when any half yearly or other dividend of the said company shall be voted and declared by a general court of proprietors, not varying or differing from the rate of the said company's dividend for the last preceeding half year, that then and in every such case, it shall not be necessary for the said general court of the said company to proceed to a ballot respecting such dividends; but that a declaration from the chairman for the time being of the said company of the voting and agreeing of the general court of proprietors to such dividend, shall be a sufficient notice and authority for declaring and making such dividend; and that from and after the passing of this act, no balloting upon any question proposed in any general court of the said company, relative to any matter whatsoever, shall be begun within a less space of time than twenty-four hours after the adjournment or breaking-up of the general court in which it shall have been determined that such question should be decided by balloting; any thing in the said last recited act to the contrary notwithstanding.

When a dividend shall be voted and declared by a general court, not differing from the rate of company's dividend for preceeding half year, a declaration from the chairman of such vote, to be sufficient notice for declaring a dividend.

No balloting to be begun within less than 24 hours after adjournment of general court.

Company's servants in the East Indies guilty of oppression or other crime,

may be tried in the court of King's Bench, and punished as if offence committed in England.

IV. And be it further enacted by the authority aforesaid, That if any person or persons whatsoever employed by or in the service of the said united company, in any civil or military station, office, or capacity whatsoever in the *East Indies*, or deriving or claiming any power, authority, or jurisdiction, by or from the said united company, shall, after the passing of this act, be guilty of oppressing any of his Majesty's subjects beyond the seas within their respective jurisdictions; or, in the exercise of any such station, office, employment, power, or authority derived or claimed by, from, or under the said united company, or shall be guilty of any other crime or offence; such oppressions, crimes, and offences, shall and may be enquired of, heard, and determined, in his Majesty's court of *King's Bench* in *England*; and such punishments shall be inflicted on such offenders, as are usually inflicted for offences of the like nature committed in that part of *Great Britain* called *England*; and that the same, and all other offences committed against this act, may be alledged to be com-

com-

Crime may be committed, and may be laid, enquired of, and tried in the county of *Middlesex*.

V. And be it further enacted by the authority aforesaid, That in all actions, or suits, brought against the said united company, their agents, or servants, or any person deriving authority

under the said company, for any thing by him or them done in such capacity, from and after the passing of this act, the defendant or defendants, in any such action or suit, may plead the general issue, and the special matter in evidence.

Publick act. VI. And be it further enacted by the authority aforesaid, That this act shall be deemed and taken to be a publick act; of which notice shall be judicially taken, by all judges, justices, and other persons whatsoever, without specially pleading the same.

Defendants to deliver to plaintiff a notice of the substance of his defence; VII. Provided always, and it is hereby enacted and declared, That the defendant or defendants, or his or their attorney, shall deliver to the plaintiff or plaintiffs in every such action, or his or their attorney, a notice in writing, signed by the defendant or defendants, or his or their attorney, of the substance of the defence or defences which he or they intend to rely upon, six days before the trial of such action, in case the same is to be tried in *London* or *Middlesex*; and eight days before the trial thereof, in

case the same is to be tried in any other county; and the defendant or defendants shall not, by virtue of this act, be permitted, at the trial of any such action, to give evidence of any matters not contained in such notice.

and shall not give evidence of any matters not contained therein.

C A P. XLVIII.

An act for making the receiving of stolen jewels, and gold and silver plate, in the case of burglary and highway robbery, more penal.

Preamble.

WHEREAS the facility with which stolen jewels, and gold and silver plate, are disposed of, is one principal cause of the frequent commission of burglaries and highway robberies; and the present laws against the receiving of stolen goods, are found insufficient to deter persons from that practice: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most

After 1 June, 1770, persons receiving jewels, gold or silver plate, or watches, knowing them to be stolen,

excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That every person, who from and after the first day of June, one thousand seven hundred and seventy, shall buy or receive any stolen jewel or jewels, or any stolen gold or silver plate, watch or watches, knowing the same to have been stolen, shall, in all cases where such jewel or jewels, or gold or silver plate, shall have been feloniously stolen, accompanied with a burglary actually committed in the stealing the same, or shall have been feloniously taken by a robbery on the highway, shall be triable as well before conviction of the principal felon, in such felony and

triable as well before as after conviction of principal felon; and, on

and burglary or robbery, whether he shall be in or out of custody, as after his conviction: and if any person, so buying or receiving such jewel or jewels, or gold or silver plate, shall be convicted thereof, he shall be adjudged guilty of felony, and be transported to some of his Majesty's plantations in America for the space of fourteen years, according to the laws in force for transportation of felons.

C A P. XLIX.

An act for continuing and amending several acts for preventing abuses in making bricks and tiles.

WHEREAS the laws herein after mentioned have been found to be very useful and beneficial, and are near expiring: may it please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That an act made in the twelfth year of the reign of his majesty King George the First, intituled, *An act to prevent abuses in the making of bricks and tiles, and to ascertain the dimensions thereof, and to prevent all unlawful combinations amongst any brickmakers or tilemakers within fifteen miles of the city of London, in order to advance or enhance the price of bricks or tiles; and an act made in the second year of the reign of his majesty King George the second, intituled, An act to explain and amend an act made in the twelfth year of his late Majesty's reign, intituled, An act to prevent abuses in the making of bricks and tiles, and to ascertain the dimensions thereof, and to prevent all unlawful combinations amongst any bricklayers or tilemakers, within fifteen miles of the city of London, in order to advance or enhance the price of bricks or tiles; and an act made in the third year of his said Majesty's reign, intituled, An act for amending the acts therein mentioned relating to the making of bricks; and also so much of an act made in the ninth year of the reign of his present Majesty, intituled, An act for reviving several acts for preventing abuses in making bricks and tiles; and for indemnifying justices of the peace, and others, who have acted under the said acts; and for indemnifying persons who have omitted to make and file affidavits; and for allowing further time for paying duties omitted to be paid upon contracts with clerks and apprentices; for making forth duplicates of exchequer bills, lottery tickets, certificates, receipts, annuity orders, and other orders, lost, burnt, or destroyed; and for repaying to Joseph Glover and John Gill the duty by them paid on a cargo of wheat, and for allowing the same to be landed for home consumption; and for preventing parish poor being paid in base or counterfeit coin; as relates to bricks and tiles, which were to have continuance to the end of this session of parliament, shall be, and the same are hereby further continued from the expiration thereof, to the twenty-ninth day of September, one thousand seven hundred and seventy-three, and*

Preamble.
Act 12 Geo. 1.
2 Geo. 2.
3 Geo. 2.
and so much of act 9 Geo. 3.
as relate to bricks and tiles, further continued to 29. Sept. 1773, from &c.

Clay for making bricks for sale

to be turned once between 1 Feb. and time of making, on penalty of 10s. per 1000 bricks.

Persons in London, &c. to dig brick-earth at any time, so as the same be turned once before it is made into bricks.

Sieves not to exceed a quarter of an inch between the meshes.

Breeze to be used only in burning bricks in clamps.

Bricks 8 inches and an half long, 4 broad, and 2 and an half thick, exempted from penalty.

This act not to extend to bricks made more than 15 miles from London.

from thence to the end of the then next session of parliament.

II. And be it further enacted by the authority aforesaid, That all clay which shall be dug or designed for making any bricks for sale, in any place or places within the kingdom of *England*, shall be turned at least once between the first day of *February* and the time of beginning to make such bricks; and if any person or persons shall make any bricks of any clay which shall not be turned once within the said time, he or they shall forfeit and pay the sum of ten shillings for every thousand of bricks so made; to be levied, recovered, and applied, in such manner as other penalties and forfeitures are directed to be recovered, levied, and applied by the said former acts, or this present act.

III. And be it further enacted by the authority aforesaid, That from and after the passing of this act, it shall and may be lawful for any person or persons within the said city of *London*, and limits aforesaid, to dig or cause to be dug, at any time in the year, brick-earth for the making of bricks, provided such earth is turned once before the same is made into bricks; any thing in the said recited act of the twelfth year of his late majesty King *George* the first, to the contrary thereof in any wise notwithstanding.

IV. And be it further enacted by the authority aforesaid, That the size of the sieves or screens for sifting or screening sea coal ashes to be mixed with brick-earth, in the making of bricks, shall not exceed one quarter of an inch between the meshes of such sieve or screen; any thing in the said recited acts, or any of them to the contrary thereof notwithstanding.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for any person or persons whomsoever, to use cinders (commonly called *Breeze*) only in the burning of bricks in clamps; any thing in the said act of the third year of his said late Majesty to the contrary notwithstanding.

VI. And whereas the dimensions of bricks prescribed in and by the said recited acts, have been found inconvenient within the city of *London*, and liberties and suburbs thereof; be it further enacted by the authority aforesaid, That from and after the passing of this act, it shall and may be lawful to and for any person or persons whatsoever, to make and burn bricks within the said city and limits, which, when burnt, shall not be less than eight inches and an half long, nor less than four inches broad, nor less than two inches and an half thick; and that no penalty shall be incurred for or in respect of bricks of the said dimensions; any thing in the said recited acts to the contrary notwithstanding.

VII. Provided always, That nothing in this act contained shall extend, or be construed to extend, to alter the dimensions of bricks prescribed in the said act of the twelfth year of *George* the first, which shall be made within any part of *England*, beyond the said distance of fifteen miles of the said city of *London*.

VIII. And whereas the method of recovering the penalties and forfeitures imposed in and by the said acts has been found inconvenient; be

be it enacted, That from and after the passing of this act, all penalties and forfeitures by the said acts inflicted or authorised to be imposed, shall and may, upon proof of the offences respectively, and conviction before any justice of the peace of the county, riding, division, or place, wherein the offence shall be committed; which justice is hereby authorised and empowered to hear and determine the same, either by the confession of the party or parties, or by the oath of one witness, be levied by distress and sale of the goods and chattels of the party or parties offending, by warrant or warrants under the hand and seal of such justice (which warrant or warrants such justice is hereby authorised and required to grant for those purposes, and to administer such oath *gratis*) and the overplus, after such penalties and forfeitures, and the charges of such distress and sale are recovered and deducted, shall be returned on demand to the owner or owners of such goods and chattels; and all such penalties and forfeitures shall, from time to time, be paid, one moiety thereof to the informer, and the other moiety thereof to the poor of the parish wherein the offender or offenders shall live; and in case sufficient distress shall not be found, or such penalties and forfeitures shall not be forthwith paid, it shall be lawful for such justice, and he is hereby authorised and required by warrant or warrants under his hand and seal, to cause such offender or offenders to be committed to the common goal or house of correction for the county, riding, division, or place where the matter shall arise there to remain without bail or mainprize for any time not exceeding two calendar months, unless such penalties and forfeitures, and all reasonable charges, shall be sooner paid and satisfied.

Penalties may be levied by distress;

and applied one moiety to informer, the other to the poor.

For want of distress, offender may be committed.

IX. *And, for the more easy and speedy conviction of offenders against this or any of the said acts*, be it further enacted, That all and every the justice or justices of the peace, before whom any person or persons shall be convicted of any offence against this or any of the said acts, shall and may cause the conviction to be drawn up in the following form of words, or in any form of words to the same effect, as the case shall happen; *videlicet*,

Conviction to be drawn up in the following form.

BE it remembered, That on the
day of

in the year of our Lord
A B is convicted before me

C D, one of his Majesty's justices of the peace for the county or place of

(specifying the offence, and time and place when and where the same was committed, as the case shall be).

Given under my hand and seal the day and year
aforesaid.

X. Provided always, and be it enacted by the authority aforesaid, That no penalty inflicted by the said former acts or this act,

Penalties in respect of dimensions of bricks not to be recovered, unless information be laid within a month after sale, &c.

Persons aggrieved may appeal to the quarter-sessions;

giving notice,

and entering into recognizance.

Justices to determine finally,

and award costs.

No *Certiorari*.

act, in respect of the dimensions of bricks, shall be recovered, unless the information shall be laid within the space of one month next after the sale or delivery of such bricks in respect of which such penalty shall be incurred, nor shall any person be liable to more than one penalty for any one offence.

XI. Provided always, and be it further enacted by the authority aforesaid, That if any person or persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this act, such person or persons may, within the space of four calendar months after the cause of complaint shall have arisen, appeal to the justices of the peace at any general quarter sessions of the peace for the county, riding, division or place, wherein the cause of complaint shall arise; such appellant first giving, or causing to be given twenty-one entire days notice at the least in writing of his or her intention to bring such appeal, and of the cause or matter thereof to the person or persons whose acts are complained against, and within eight days after such notice, entering into a recognizance before some justice of the peace for the respective county, riding, division or place, with two sufficient sureties, conditioned to try such appeal at, and abide the order of, and pay such costs as shall be awarded by the justices at such quarter-sessions: and the said justices at their said sessions, upon due proof of such notice being given as aforesaid, and of the entering into such recognizance, shall proceed in and hear and finally determine the causes and matters of such appeals in a summary way, and award such costs to the party appealing or appealed against, as they the said justices shall think proper; and the determination of such quarter-sessions shall be binding and conclusive to all intents and purposes; and no order made concerning any of the matters aforesaid or any other proceedings to be had touching the conviction or convictions of any offender against this or any of the said acts, shall be quashed for want of form, or be removed by *certiorari* or any other writ or process whatsoever into any of his Majesty's courts of record at *Westminster*.

C A P. L.

An act for the further preventing delays of justice by reason of privilege of parliament.

Preamble.

WHEREAS the several laws heretofore made for restraining the privilege of parliament, with respect to actions or suits commenced and prosecuted at any time from and immediately after the dissolution or prorogation of any parliament, until a new parliament should meet, or the same be reassembled; and from and immediately after an adjournment of both houses of parliament for above the space of fourteen days, until both houses should meet or assemble; are insufficient to obviate the inconveniencies arising from the delay of suits by reason of privilege of parliament; whereby the parties often lose the benefit of several terms: for the preventing all delays the King or his subjects may receive in prosecuting their several rights, titles, debts, dues, demands,

mands, or suits, for which they have cause; be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons in this present parliament assembled, and by the authority of the same, That from and after the twenty-fourth day of *June* one thousand seven hundred and seventy, any person or persons shall and may, at any time, commence and prosecute any action or suit in any court of record, or court of equity, or of admiralty, and in all causes matrimonial and testamentary, in any court having cognizance of causes matrimonial and testamentary, against any peer or lord of parliament of *Great Britain*, or against any of the knights, citizens, and burgesses, and the commissioners for shires and burghs of the house of commons of *Great Britain* for the time being, or against their or any of their menial or any other servants, or any other person intitled to the privilege of parliament of *Great Britain*; and no such action, suit, or any other process or proceeding thereupon, shall at any time be impeached, stayed, or delayed, by or under colour or pretence of any privilege of parliament.

II. Provided nevertheless, and be it further enacted by the authority aforesaid, That nothing in this act shall extend to subject the person of any of the knights, citizens, and burgesses, or the commissioners of shires and burghs of the house of commons of *Great Britain* for the time being, to be arrested or imprisoned upon any such suit or proceedings.

III. And whereas the process by Distingas is dilatory and expensive: for remedy thereof, be it enacted by the authority aforesaid, That the court out of which the writ proceeds, may order the issues levied from time to time to be sold, and the money arising thereby to be applied to pay such costs to the plaintiff, as the said court shall think just, under all the circumstances, to order; and the surplus to be retained until the defendant shall have appeared, or other purpose of the writ be answered.

IV. Provided always, when the purpose of the writ is answered that then the said issues shall be returned; or if sold, what shall remain of the money arising by such sale, shall be repaid to the party distrained upon.

V. And be it further declared and enacted by the authority, aforesaid, That obedience may be enforced to any rule of his Majesty's courts of king's bench, common pleas, or exchequer, against any person intitled to privilege of parliament, by distress infinite, in case any person or persons intitled to the benefit of such rule shall chuse to proceed in that way.

VI. And whereas an act was made in the twelfth and thirteenth years of the reign of King William the third, intituled, An act for preventing any inconveniencies that may happen by privilege of parliament; be it enacted by the authority aforesaid, That from and after the said twenty-fourth day of *June*, the said act, and also this act, shall extend to that part of *Great Britain* called *Scotland*.

CAP. LI.

An act to encourage the improvement of lands, tenements, and hereditaments, in that part of Great Britain called Scotland, held under settlements of strict entail.

Preamble, re-
citing an act
of the Scottish
parliament,
1685.

Proprietors of
entailed estates
may grant
tacks for 14
years, and
one existing
life;
or for 2 lives,
and life of
survivor;
or for 31
years.

Specification
of terms in
which lands
so leased are
to be inclosed.

WHEREAS by an act of the parliament of Scotland, made in the year one thousand six hundred and eighty-five, intituled, Act concerning taillies, all his Majesty's subjects are empowered to taillie their lands and estates in Scotland with such provisions and conditions as they shall think fit, and with such irritant and resolute clauses as to them shall seem proper; and which taillies, when completed and published in the manner directed by the said act, are declared to be real and effectual against purchasers, creditors, and others whatsoever: and whereas many taillies of lands and estates in Scotland, made as well before as after the passing the said act, do contain clauses limiting the heirs of entail from granting tickets or leases of a longer endurance than their own lives, or for a small number of years only, whereby the cultivation of land in that part of this kingdom is greatly obstructed, and much mischief arises to the publick; and which must daily increase, so long as the law allowing such entails subsists, if some remedy be not provided: wherefore, to prevent a mischief and inconveniency so hurtful to the publick, be it enacted by the King's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That it shall and may be lawful to every proprietor of an entailed estate within that part of Great Britain called Scotland, to grant tacks or leases of all or any part or parts thereof, for any number of years not exceeding fourteen years from the term of *Whitsunday* next after the date thereof, and for the life of one person to be named in such tacks or leases, and in being at the time of making thereof; or for the lives of two persons to be named therein, and in being at the time of making the same, and the life of the survivor of them; or for any number of years, not exceeding thirty-one years from the term aforesaid.

II. Provided always, That every such lease for two lives shall contain a clause obliging the tenant or tenants to fence and inclose, in a sufficient and lasting manner, all the lands so leased within the space of thirty years, and two third parts thereof within the space of twenty years, and one third part thereof within the space of ten years, if the said lease shall continue for such respective terms; and that every such lease for any term of years exceeding nineteen years, shall contain a clause, obliging the tenant or tenants to fence and inclose in like manner all the lands so leased during the continuance of such term, and two third parts thereof before the expiration of two third parts of such term, and one third part thereof before the expiration of one third part of such term.

III. And

III. And provided also, That every such lease for two lives, or for any term of years exceeding nineteen years, shall contain a clause obliging the tenant or tenants to keep and preserve the fences, when made, in good and sufficient repair during the lease, and to leave them so at the expiration thereof; and that no inclosures which shall be made, shall comprehend more than forty acres in one field; excepting where the lands consist of hills or other grounds, incapable or improper by their nature for culture by the plough; in which case, the inclosures may be made of such extent as the nature of the ground shall require.

IV. And whereas the building of villages and houses upon entailed estates may, in many cases, be beneficial to the publick, and might often be undertaken and executed, if heirs of entail were impowered to encourage the same, by granting long leases of lands for the purpose of building; be it therefore enacted by the authority aforesaid, That it shall be, and it is hereby declared to be, in the power of every proprietor of an entailed estate, to grant leases of land for the purpose of building, for any number of years not exceeding ninety-nine years.

V. Provided always, That not more than five acres shall be granted to any one person, either in his own name, or to any other person or persons in trust for him; and that every such lease shall contain a condition that the lease shall be void, and the same is hereby declared void, if one dwelling-house at least, not under the value of ten pounds *sterling*, shall not be built within the space of ten years from the date of the lease, for each one half acre of ground comprehended in the lease; and that the said houses shall be kept in good, tenantable, and sufficient repair; and that the lease shall be void whenever there shall be a less number of dwelling-houses than one, of the value aforesaid, to each one half acre of ground, kept in such repair as aforesaid, standing upon the ground so leased.

VI. Provided also, That the power of leasing hereby given shall not in any case extend to, or be understood to comprehend, a power of leasing, or setting in tack, the manor-place, office-houses, gardens, orchards, or inclosures adjacent to the manor-place, which have usually been in the natural possession of the proprietor, or have not been usually let for a longer term than seven years, when the heir in possession was of lawful age; and that no lease of lands shall be granted, under the authority of this act, for the purpose of building villages or houses within three hundred yards of the manor-place usually in the natural possession of the proprietor.

VII. Provided always, and be it enacted, That all leases made or to be granted under the authority of this act, shall be made or granted for a rent not under the rent payable by the last lease or sett, and without grassum fine or foregift, or any benefit whatsoever, directly or indirectly, reserved or accruing to the grantor, except the rent payable by the lease; and that no such lease shall be granted till after the end or other determination thereof, &c.

mination of any former lease of the same premises; or that such lease, if granted for a time certain, shall be within one year of being determined; and that all leases otherwise granted shall be void and null.

Taillie containing ample powers,

Heir in possession may exercise the same.

VIII. And be it provided and declared by the authority aforesaid, That if any taillie shall, either expressly or by implication, contain powers of leasing more ample than are hereby given; the heirs of entail in possession shall be at liberty to exercise all such powers, in the same manner as if this act had never been made.

Proprietor laying out money for improvement of estate, to be a creditor to succeeding heir for three fourths thereof.

provided the same do not exceed 4 years free rent, after deduction of burdens, &c.

Proprietor intending to lay out money on improvements, to give notice thereof;

and lodge a copy thereof with sheriff or steward clerk; and, laying out money with intent

IX. *And whereas it may be highly beneficial to the public, if proprietors of entailed estates were encouraged to lay out money in inclosing, planting, or draining, or in erecting farm-houses, and offices or out-buildings for the same, upon their entailed lands and heritages: and whereas such proprietors may be induced and encouraged so to do, if they, their executors and assigns, were secured in recovering a reasonable satisfaction, for the money expended in making such improvements, from the succeeding heirs of entail;* be it therefore enacted by the authority aforesaid, That every proprietor of an entailed estate who lays out money in inclosing, planting, or draining, or in erecting farm-houses, and offices or out-buildings for the same, for the improvement of his lands and heritages, shall be a creditor to the succeeding heirs of entail for three fourth parts of the money laid out in making the said improvements.

X. Provided always, That the sum or sums of money laid out upon such improvements, by any one heir of entail during his or her possession, shall not, in any case whatever, be effectual to constitute a claim against the succeeding heir of entail, for more than four years free rent of the said entailed estate, after deduction of all publick burdens, life-rents, and interests of debts, which may affect the said estate, as the same shall happen to be at the first term of *Whitsunday* after the death of the heir who expended the money claimed.

XI. Provided also, That every proprietor of an entailed estate, who intends to lay out money on such improvements, shall, three months at least before he begins to execute the same, give notice in writing to the heir of entail next entitled to succeed to the said estate after the heirs of the body of the said proprietor, if within *Great Britain* or *Ireland*, and if the heir next entitled to succeed is not within *Great Britain* or *Ireland*, shall give notice in writing to the nearest male relation by his father of lawful age, or to his known factor or attorney, of such his intention, specifying in such notice the kind of improvement intended, and the farms or parts of the estate upon which the improvements are intended to be made; and shall lodge a copy thereof with the sheriff or steward clerk of the county wherein the lands lie.

XII. Provided likewise, That the proprietor of an entailed estate, who lays out money in making improvements upon his entailed estate, with an intent of being a creditor to the succeeding

ceeding heirs of entail in the manner above expressed, shall annually, during the making such improvements, within the space of four months after the term of *Martinmas*, lodge with the sheriff or steward clerk of the county within which the lands and heritages improved are situated, an account of the money expended by him in such improvement during twelve months preceding that term of *Martinmas*, subscribed by him, with the vouchers by which the account is to be supported when payment shall be demanded or sued for.

XIII. Provided also, and be it further enacted, That when a sum equal to four years free rent shall have been laid out, in manner above mentioned, by one or more heir or heirs of entail, and shall remain a subsisting charge against the succeeding heirs; it shall not be lawful for any subsequent heir or heirs to lay out any more money under the authority of this act, for any of the improvements afore-mentioned.

XIV. And be it enacted by the authority afore said, That all sheriff or steward clerks, with whom the accounts, vouchers, and copies of notice shall be lodged, shall, within the space of one month thereafter, record them in a book to be kept for that purpose, and return them when called for; and shall make the book patent to all persons desirous to see the same; and shall give certified copies or extracts of all accounts, vouchers, and copies of notice recorded, they receiving for their trouble the usual fees for recording writing and giving out extracts, and sixpence *sterling* from each person who shall have inspection of the book wherein the accounts, vouchers, and copies of notice shall be recorded.

XV. And be it enacted by the authority afore said, That the executor or executors, assignee or assigns, or other person or persons, having right to the claim arising from money expended by the proprietor of an entailed estate in the improvement thereof, may, after the expiration of one year from the death of the heir who expended the money, require the heir next succeeding to the estate, to pay such part thereof as is due by the authority of this act, with the legal interest, from the term at which the succeeding heir's right to the rents of the estate did commence, upon receiving a proper discharge and assignment of the said claim; and if the money is not paid within three months of such requisition, it shall then be lawful for the person or persons having right, to institute an action in the court of session against the heir then in possession, for compelling him to pay the money, and interest thereof; and upon obtaining a decree, he, she, or they shall be at liberty to use every kind of diligence or execution, authorised by the law of *Scotland* in recovering payment of debts, excepting adjudication against the entailed estate improved; and in all questions of competition for the rents of the entailed estate, the person or persons who have sued for and obtained a decree under the authority of this act, or the person or persons having right to

to become a creditor, to lodge annually with the sheriff or steward clerk, an account of money expended, &c.

Heir of entail laying out four years free rent, subsequent heir not to lay out more.

Sheriff and steward clerks to record vouchers,

and make copies thereof. Fees for the same.

Successive claims may be made for money expended, with interest.

On nonpayment within 3 months, action may be instituted against heir in possession.

Persons obtaining decree, to have preference of other creditors.

such decree, shall be preferred to the other creditors of the heir of entail who has succeeded to the estate.

Heir sued for money due for improvements, to be discharged, on conveying to creditors one third of clear rents, &c.

XVI. Provided always, That when any heir in possession is sued for the money due on account of improvements made upon an entailed estate, under the authority of this act, he shall be discharged in all cases from such suit, upon his assigning and effectually conveying to the creditor or creditors one third part of the clear rents of the entailed estate, during his life, or until the money so due shall thereby be paid off and discharged.

Persons in the right of money due, may sue the heirs of next heir, or heir next succeeding,

XVII. *And whereas it may happen that the heir of entail, who next succeeds the proprietor who expended the money in the improvement of the entailed estate, may die, before the money due by him on account of improvements made upon the estate is paid, by which the person or persons in the right of the money due may be embarrassed in recovering payment: for remedy whereof,* be it enacted by the authority aforesaid, That the person or persons in the right of the money due, may either sue the heirs and successors of the said next heir of entail in any other than the entailed estate, or the heir of entail next succeeding to him, or both, and use every kind of diligence or execution, authorised by the law of Scotland in the recovering payment of debts, against them and their estates, excepting adjudication against the entailed estate, until the money due is fully satisfied and paid; and the person or persons in the right of the money due shall, in any competition for the rents of the entailed estates, be preferred to the personal creditors of the heir of entail in possession; and the person or persons in the right of the money due, in like manner shall be intitled to sue every succeeding heir of entail, until the money is satisfied and paid; and shall have the same preference to the rents of the entailed estate in competition, with the creditors of such heirs of entail.

and, in competition, shall be preferred to personal creditors, and likewise succeeding heirs, with like preference.

Relief competent to successive heirs, to the extent of one third part of the rents.

XVIII. Provided always, and be it enacted by the authority aforesaid, That the heir who next succeeds in the entailed estate to the proprietor who expended the money, under the authority of this act, in making improvements upon the estate, and the heirs and successors of such heir, shall be bound to relieve all subsequent heirs of all or such parts of the debt, incurred by the improvement of the estate under the authority of this act, as shall be paid by them, to the extent of one third part of the rents which have come to the use of such first succeeding heir, or to the use of his heirs or executors; and when the third part of the rents which have come to the use of the first succeeding heir, or to his heirs or executors, are exhausted, then the next succeeding heir, and his heirs and successors, shall in like manner be bound to relieve all subsequent heirs, to the extent of one third part of the rents which have come to their use; and relief shall in like manner be competent to every succeeding heir who shall pay, against the heirs and successors of the preceding heir.

Heirs of entail, &c. sued

XIX. Provided also, and be it enacted by the authority aforesaid,

foreſaid, That when the heirs and ſucceſſors of an heir of entail, in any other than the entailed eſtate, are ſued for the money due on account of improvements made upon an entailed eſtate under the authority of this act, they ſhall be diſcharged in all caſes from ſuch ſuits, upon making payment of one third part of the rents of the entailed eſtate which have come to the uſe of ſuch heir of entail, or to the uſe of his ſaid heirs or ſucceſſors.

on account of improvements, ſhall be diſcharged, on payment of one third of their rents.

XX. *And whereas inconveniencies and confuſion might ariſe from the executor, aſſignee, or other perſon or perſons having right to the claim ariſing from money expended by the proprietor of an entailed eſtate in the improvement thereof, their not timeouſly requiring the heir next ſucceeding in the eſtate to pay what they are intitled to receive by authority of this act, and ſuing ſuch heir to compel him to pay, if payment is not made: for remedy whereof,* be it enacted by the authority aforeſaid, That the executor, aſſignee, or other perſon or perſons having right to the claim ariſing from money expended by the proprietor of an entailed eſtate in the improvement thereof, ſhall be obliged, within the ſpace of two years after the death of the proprietor who expended the money, to require payment from the ſucceeding heir; and within the ſpace of ſix months after the elapſe of the ſaid two years, to inſtitute an action, if the money is not paid, in the court of ſeſſion; and to proceed without delay in recovering a decree for the ſum due, and doing exact diligence for recovering payment thereof, or at leaſt to the amount of one third part of the free rents of the eſtate which ſhall have become due to ſuch ſucceeding heir.

Claimant of money expended by proprietor, to require payment, within a years after his deceaſe, of ſucceeding heir; and on non-payment for 6 months, to inſtitute action, &c.

XXI. Provided always, and be it enacted by the authority aforeſaid, That the executor, aſſignee, or other perſon or perſons, having right to the claim ariſing from money expended by the proprietor of an entailed eſtate, who ſhall neglect to require the next, or any other ſucceeding heir or heirs to pay, and ſhall allow ſuch ſucceeding heir or heirs to die without recovering payment from him or them to the amount of one third part, at leaſt, of the rents that ſhall have become due to ſuch heir or heirs, ſhall ceaſe to be creditor to the ſubſequent ſucceeding heir or heirs reſpectively, to the extent of one third part of the rents which ſhall have become due to the heir or heirs ſo deceaſing as aforeſaid; and ſhall be intitled to recover payment of his claim to the extent of ſuch third part of the rents, from the executors or heirs only of the firſt or any other ſucceeding heir or heirs, in any other eſtate than the entailed eſtate; and ſhall be intitled to recover payment of the ſurplus of his claim, if any be, and no more, from the ſubſequent ſucceeding heir or heirs reſpectively.

but neglecting ſo to do,

and not recovering one third part of rents, &c. before his deceaſe, ſhall ceaſe to be creditor to ſubſequent heirs for ſuch ſum, and ſuch third part to be recoverable only from executors, &c. of firſt heirs, &c.

XXII. *And whereas it may happen that the heir, who next ſucceeds to the proprietor who expended money in making improvements upon an entailed eſtate, may pay all or part of the money due on account of ſuch improvements, and may not live ſo long as to be indemnified by the third part of the rents which ſhall come to his uſe, or*

and ſurplus, from ſubſequent ſucceeding heirs.

Heir first succeeding, not living long enough to be indemnified for what he pays,

his executors may sue succeeding heir of entail for relief, &c.

Like relief to executors of every heir who is not repaid.

Money expended in making improvements, not to be made use of as a ground of debt for adjudging estates.

Heir of entail succeeding to estate upon which improvements have been made, excluded from making claim of debt.

On judgment obtained against heir for whole debt created by improvements,

Defendant to be liable in full costs; if otherwise, court to award costs at discretion.

Heir of entail, after having completed improvements,

to the use of his heirs or executors; be it therefore enacted by the authority aforesaid, That if the heir who first succeeds in the entailed estate to the proprietor who expended the money, does pay all or part of the money due on account of the improvements made, and shall not live long enough to be indemnified of what he pays by one third part of the rents that shall come to his use, or to the use of his heirs or executors; it shall be competent to his executors or assigns to sue the succeeding heir of entail for relief of such part of the money as shall not be repaid by the third part of the rents which have come to his use, or to the use of his heirs or executors; and relief shall in like manner be competent to the executors or assigns of every heir of entail who pays more than is repaid by the third part of the rents which have come to his use, or to the use of his heirs and executors.

XXIII. And be it further enacted by the authority aforesaid, That no money expended in making improvements upon an entailed estate, for which a decree shall be obtained in the court of session, shall be made use of as a ground of debt for adjudging the estate upon which the improvements have been made; and if any decree of adjudication shall be obtained against the entailed estate for such debts, every such decree shall and is hereby declared to be void.

XXIV. And be it also enacted by the authority aforesaid, That if the heir of entail who shall succeed to an entailed estate upon which improvements have been made, shall have right to a claim of debt arising from the making of such improvements as next of kin, or by the will or settlements of the heir of entail who expended the money; in every such case, the claim of debt shall and is hereby declared to be extinguished for ever, and shall never be set up as a debt against any succeeding heir.

XXV. And be it further enacted by the authority aforesaid, That if any heir of entail, against whom a debt is created for improvements made on the entailed estate to which he succeeds, shall refuse to pay the money required of him under the authority of this act, and that decree shall be obtained against him for the whole of the sum or sums of money of which he shall be required to make payment; in every such case the defender shall be liable in full costs of suit; and if decree is not obtained for the full sum or sums of money of which payment has been required, it shall be in the discretion of the court to award costs of suit to either party, as the justice of the case shall direct.

XXVI. And whereas questions may arise concerning the amount of the sums laid out under the authority of this act, at a great distance of time, when the material witnesses may be dead; for remedy whereof, and for ascertaining, in due time, the amount of the sums so expended; be it therefore farther enacted, That it shall and may be lawful for every heir of entail, after he shall have laid out money upon the improvement of his entailed estate as

afore-

aforesaid, and shall have completed the improvement of all or any particular part of such estate, to bring, if he shall think proper, an action of declarator before the court of session, or a process before the sheriff, in which he shall call the heir next intitled to succeed after the heirs of his own body, and shall in such suit produce proper evidence of the money laid out in such improvements; and the said next heir, or any other heir of entail, shall be intitled to produce proper evidence to set aside or diminish the said claim: and it shall and may be lawful for the said court of session, or for the said sheriff, to pronounce a decree for such part of the said sum, as, by the true intent and meaning of this act, is intended to become a charge against the succeeding heirs in the said entailed estate; which decree, if pronounced by the sheriff, shall become final, unless carried to the court of session by suspension within six months after the same shall have been pronounced; and if pronounced by the court of session, either in such process of declarator or suspension, shall be final, if an appeal is not brought within twelve months.

may bring
action of
declarator, &c.

and produce
evidence of
money laid
out.

Court of ses-
sion, &c. may
decree what
sum shall be
a charge on
succeeding
heirs, &c.

XXVII. *And whereas it frequently happens that there are not, upon entailed estates, mansion-houses and offices suitable to the estates, and fit for the accommodation of the heirs of entail; and that mansion-houses and offices upon entailed estates are sometimes destroyed by fire, or from other accidental causes, or become insufficient by length of time; and it being beneficial to the public to encourage heirs of entail, in such cases, to build houses and offices suitable to their estates, and fit for the accommodation of their families; be it therefore enacted by the authority aforesaid, That every heir of entail who lays out money in building a mansion-house or offices, or in repairing or adding to the mansion-house or offices upon his estate, shall be a creditor to the next succeeding heir of entail for three fourth parts of the money expended by him.*

Heir of en-
tail building
mansion-
house, &c.:
to be a cre-
ditor to suc-
ceeding heir
for three
fourth parts
of the ex-
pence:

XXVIII. Provided always, That the sum or sums of money laid out by any one heir of entail, in the building a mansion-house or offices, or in the repairing or adding to the mansion-houses or offices, shall not, in any case whatever, be effectual to constitute a claim against the succeeding heir of entail for more than two years rent of the said entailed estate, after deduction of all publick burdens, life rents, and interests of debts, which may affect the said estate, as the same shall happen to be at the first term of *Whitsunday* after the death of the heir who expended the money claimed.

but the same
is not to ex-
ceed 2 years
rent, after
burdens, &c.
deducted.

XXIX. Provided also, That the proprietor of the entailed estate, who lays out the money, shall, previous thereto, give notice in writing to the heir of entail next intitled to succeed to the said estate after the heirs of his own body; and record copies of the same, together with the accounts of the money expended, and the vouchers thereof, in the sheriff or steward of court books of the county within which the mansion-houses and offices are situated, in the form and manner above directed with-

Proprietors
laying out
money, to
give notice,
and record
copies there-
of.

with regard to monies expended in making improvements upon entailed estates.

Persons having right to claim for money expended by proprietor in building mansion-house, &c. may, within a year after decease, require heir succeeding to pay the whole, with interest; and on non-payment for 3 months, may sue.

XXX. And be it enacted by the authority aforesaid, That the executor or executors, assignee or assignees, or other person or persons having right to the claim arising from money expended by the proprietor of an entailed estate, in the building a mansion-house or offices, or in the repairing or adding to the mansion-house or offices upon his estate, may, after the expiration of one year from the death of the heir who expended the money, require the heir next succeeding to the estate to pay the whole, or such part thereof as is due by the authority of this act, with the legal interest from the term at which the succeeding heir's right to the rents of the estate did commence, upon receiving a proper discharge and assignment of the said claim; and if the money is not paid within three months of such requisition, it shall be lawful for the person or persons having right, to sue the next succeeding heir, in the manner above directed for the recovering of money expended in the improvement of entailed estates.

Rules enacted with respect to proprietors making improvements, extended to claims here mentioned.

XXXI. And be it further enacted by the authority aforesaid, That the same rules of relief among succeeding heirs of entail, and their heirs and successors, of the claim of debt, and of preference in competition for rents, and in subjecting defenders to the payment of costs, and for ascertaining the amount of the sum laid out, shall take place with regard to monies expended in the building, repairing, or adding to the mansion-houses or offices upon entailed estates under the authority of this act, as are before enacted, with respect to monies expended by proprietors of entailed estates, in making improvements upon their estates for increasing the rents and value of them.

Proprietors of entailed estates empowered to exchange lands:

XXXII. *And whereas it may frequently happen, that the inclosing of lands in Scotland may be retarded or prevented, or at least rendered inconvenient, by heirs of entail not having it in their power to exchange small parcels of the lands of their entailed estates for other lands convenient for the entailed estate, and more conducive to the improvement of the country in general: for remedy whereof,* be it enacted by the authority aforesaid, That it shall and may be lawful for proprietors of entailed estates to excamb or make exchanges of land, with all and every person or persons, for the conveniency and advantage of the said estates, and for the improvement of the country where such estates are situated, by inclosing or otherways.

Limitation of quantity to be exchanged;

XXXIII. Provided, That not more than thirty acres of arable land, nor more than one hundred acres of lands consisting of hills or other grounds incapable or improper by their nature for culture by the plough, of such entailed estates, lying together in one place or plot, shall be given in exchange; and that an equivalent in land, contiguous to the entailed estate with which the exchange is to be made, shall be received in place of the land given in exchange: and for ascertaining and ad-

for which an equivalent is to be made from lands contiguous,

adjusting the value of the lands proposed to be exchanged, an application shall be made for that purpose, by the proprietor of the entailed estate, to the sheriff or steward of the county within which the entailed estate is situated, who thereupon shall appoint two or more skilful persons to inspect and adjust the value of the lands proposed to be exchanged or exchanged; and upon such persons settling the marches of the lands proposed to be exchanged, and reporting upon oath that the exchange will be just and equal, the sheriff or steward may, and is hereby required to authorise the exchange to be made by a contract of excambion; and which being executed and recorded in the sheriff or steward books within three months after the execution thereof, the same shall be effectual to all intents and purposes; and the land given in exchange to the entailed estate shall be held to be a part thereof, and shall be subject to all the prohibitory, irritant, and resolute clauses of the entail, in the same manner as if it had been originally a part of the estate; and the lands given from the entailed estate shall from thenceforth be held as out of the entail, and be liberated from all the prohibitory, irritant, and resolute clauses thereof.

Value of lands exchanged, how to be adjusted,

and property thereof determined.

XXXIV. And be it further enacted and declared by the authority aforesaid, That this act shall extend to, and comprehend, all tallies of lands or heritages in that part of *Great Britain* called *Scotland*, made or to be made, and whether prior or posterior to the said act made in the year one thousand six hundred and eighty-five.

This act to extend to all tallies made in Scotland, whether prior or posterior to the act of 1685.

C A P. LII.

An act for granting to his Majesty a certain sum of money out of the sinking fund; and for applying certain monies therein mentioned, for the service of the year one thousand seven hundred and seventy; and for further appropriating the supplies granted in this session of parliament.

Preamble. 1,700,000 l. granted out of the sinking fund, for the service of the current year; to be issued by the treasury accordingly. Treasury empowered to raise the said sum, or any part thereof, by loans or exchequer bills, on the credit of the sinking fund; and to strike tallies of loan, with orders for repayment of the money so advanced; and interest payable quarterly. Orders to be registered in course. No undue preference to be given in payment, nor fee to be taken; on forfeiture of treble damages, with full costs. Penalty of undue preference in point of registry or payment; to be recovered in any of the courts of record at Westminster. No undue preference in the registering, where tallies or orders are brought the same day; nor if subsequent orders are paid before others not brought in course, so as money be reserved for the precedent orders. Power of assignment, and method of transferring of orders. If it shall be judged more advisable, the treasury may raise the said sum by exchequer bills, instead of loans; the bills in such case to be made as those prescribed by the malt act of this session. All advantages and penalties in the malt act of this session, relating to loans or exchequer bills thereby authorised to be made forth, extended to this act. The said exchequer bills, interest, and charges, are to be paid out of the sinking fund. Bank authorised to lend the said sum, notwithstanding act 5 & 6 Will. & Mary. The sum of 299,375 l. 6 s. 6 d. 1 q. surplus of the sinking fund in the exchequer on 5 Jan. 1770; 773,240 l. 16 s. 2 q. and 13,596 l. 5 s. 10 d. 2 q. Surplusses remaining in the exchequer on 5 April, 1770; 400,000 l. di.

directed by act of last session; and such money as shall be paid into the exchequer between 6 April 1770 and 5 April 1771, of the duties on Gum Senega and Gum Arabick, charged by act 5 Geo. 3. to be applied for the service of the current year. 20,000 l. out of monies paid into the exchequer between 6 April 1770 and 5 April 1771, being the produce of duties reserved towards expence of defending, &c. the British colonies in America, &c. towards making good the sum granted for maintaining the garrisons in the plantations, and for provisions for the forces in North America, Nova Scotia, Newfoundland, and the Ceded islands; and 55,495 l. 15 s. 8 d. 1 q. remaining in the office of the paymaster general of his Majesty's forces, and 3948 l. 3 s. 7 d. final balance of account of Thomas earl of Kinnoul, to be applied towards defraying the extraordinary expences of the land forces, &c. incurred to 26 Dec. 1769, and not provided for. Appropriation of the supplies. The monies arising by the malt tax, land tax, loans, lottery, and 299,375 l. 6 s. 6 d. 1 q. remaining in the exchequer on 5 Jan. 1770, surplus of the sinking fund; and 773, 240. 16 s. 2 q. and 13,596 l. 5 s. 10 d. 2 q. Surplusses remaining on 5 April 1770; and 400,000 l. payable by act of last session; and such monies as shall be paid into the exchequer between 6 Apr. 1770 and 5 Apr. 1771, of the produce of the duties on Gum Senega and Gum Arabick; and 1,700,000 l. granted by this act out of the sinking fund, together with the residue of the monies arising from the sale of French prizes taken before the declaration of war; and also such monies as his Majesty shall direct, out of monies arising by sale of ceded lands in the West Indies; viz. out of the aforesaid aids, 1,522,067 l. 1 s. 11 d. towards naval services herein specified; 100,000 l. towards paying off the debt of the navy; 166,984 l. 11 s. 5 d. for charge of the office of ordnance, 40,933 l. 10 s. 8 d. to the said office, for services performed in 1769, not provided for. 1,468,487 l. 1 s. 10 d. and one eighth of a penny, towards the land forces, and other services in general; of which 624,992 l. 2 d. for defraying the charge of 17,666 effective men, &c. and 152 invalids, for guards and garrisons, &c. in Great Britain, Jersey, and Guernsey; 363,248 l. 1 s. 11 d. and one eighth of a penny, for guards and garrisons in the plantations, and Africa, Minorca, and Gibraltar, &c. and provisions for the forces abroad; 4,533 l. 12 s. 8 d. to make good the difference of pay between the British and Irish establishment, of troops in the isle of Man, Gibraltar, Minorca, and ceded islands. 12,203 l. 18 s. 6 d. 2 q. for general and general staff officers; 123,233 l. 2 s. 6 d. to the reduced officers of the land forces and marines; 1,289 l. 1 s. 3 d. to the two troops of horse guards, and regiment of horse reduced; and to the superannuated gentlemen of the 4 troops of horse guards, 4,513 l. 16 s. 8 d. to reduced officers, with the 10th company of battalions reduced; 664 l. to the pensions of officers widows; 112,423 l. 4 s. 7 d. to the out pensioners of Chelsea Hospital; 175,820 l. 11 s. 6 d. 2 q. towards extraordinary expences of the land forces, and other services incurred, and not provided for; 45,565 l. 12 s. to the land-grave of Hesse Cassel; 1,800,000 l. towards paying off exchequer bills issued pursuant to an act of last session; 13,100 l. to make good to his Majesty the like sum issued pursuant to the addresses of the house of commons; 2000 l. for a passage to the house of commons; 4,239 l. 5 d. for supporting the civil establishment of Nova Scotia; 3,086 l. for the civil establishment of Georgia; 4,750 l. for the civil establishment of East Florida; 4,800 l. for the civil establishment of West Florida; 1,885 l. 4 s. towards expence of general surveys in America; 13,000 l. for the forts and settlements in Africa, under the direction of the committee of the African company; 5550 l. charges, of the civil establishment of Senegambia; 9,650 l. to the Foundling Hospital; 3,500 l. towards apprenticing children from thence; 5000 l. to inhabitants of Barbadoes, to defray expence of cleansing the channel, &c. 5000 l. to Levant company; 2000 l. to trustees of the British Museum. 72,000 l. for discharging debts claimed upon forfeited estates, and the annuity claimed by Mary Mackenzie, widow, and for purchase of superiorities, &c. 6,998 l. 10 s. 2 d. towards roads of communication and bridges in the Highlands of North Britain, 796 l. 7 s. 6 d. to make good

good to his Majesty the like sum, paid to several persons in the county of Southampton, in full satisfaction for the losses they have incurred, pursuant to orders of council for preventing the spreading of the distemper amongst the horned cattle; 6,195 l. 8 s. 11 d. to enable his Majesty to make compensation to Fran. Dalby, merchant, for the loss of his ship the Britannia, &c. 46,463 l. 12 s. 8 d. to replace to the sinking fund the like sum paid out of the same, to make good the deficiency of the fund for paying annuities established by act 31 Geo. 2; 55,011 l. 7 s. 5 d. 2 q. to make good the deficiency of the grants for the year 1769; The said aids to be applied only to the uses before mentioned. Rules to be observed in the application of the half-pay. Act 9 Geo. 3. Rules to be observed in the application of the surplus of the sums appropriated to the payment of reduced officers. Treasury to issue to the receiver-general of the land rents and casualties in Scotland a sum not exceeding 72,000 l. towards paying debts, and discharging Mary Mackenzie's annuity and prices agreed to be paid to lords superiors, &c. Creditors, by 5 July. 1770, to produce, in the court of exchequer in Scotland, the decrees sustaining their claims; Barons to make out debentures for sums due thereon, and also for sums, and interest, due to lords superiors. Receiver to pay the same at sight. If decree not produced before 5 July, 1770, Claim not to carry interest after the said day. Barons of exchequer, with consent of the treasury, may issue debentures for payment of rewards to officers. Receiver to pay the same. No fee to be taken from creditor or lord superior, on forfeiture of 100 l. and repayment of the sum exacted. In case any surplus remain after discharging debts, annuity, &c. the same to be reserved for the disposition of parliament.

C A P. LIII.

An act to repeal an act passed in the thirty-first year of the reign of his late majesty King George the Second, intituled, An act for relief of the coal-heavers working upon the river Thames; and for enabling them to make provision for such of themselves as shall be sick, lame, or past their labour, and for their widows and orphans; and to regulate the price of their labour; to prevent frauds and impositions on such labourers; and for their further relief.

WHEREAS an act made in the thirty-first year of the reign of his late majesty King George the Second, intituled, *An act for the relief of the coal-heavers working upon the river Thames; and for enabling them to make a provision for such of themselves as shall be sick, lame, or past their labour, and for their widows and orphans; hath been found ineffectual to answer the good purposes thereby intended; and for want of due regulation in payment of the wages and hire of the said coal-heavers, being labourers employed in unloading ships laden with coals, great impositions and frauds have been committed by coal-undertakers, being persons employed to procure coal-heavers to unload such ships on the river Thames; whereby such coal-heavers have been deprived of great part of the fruits of their labour, by means whereof great disturbances and inconveniencies have arisen: may it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most excellent majesty, by and with the advice and consent* Preamble.

After 24 June 1770, the act of 31 Geo. 2. repealed.

Coal-undertakers not to take any gratuity of coal-heavers between London Bridge and Greenwich,

on penalty of 5l. and incapacity.

Coal-undertaker to take the following oath.

consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That from and after the twenty-fourth day of June, one thousand seven hundred and seventy, the said act, and every part thereof, shall be and stand repealed.

II. And be it further enacted, That no coal-undertaker shall take, receive, or demand, of or from any coal-heaver, any sum or sums of money, or other valuable thing whatsoever, as or for commission, or as a reward or gratuity for procuring such coal-heaver to be employed in unloading ships loaded with coals between *London Bridge* and *Greenwich*, nor by or under pretence of furnishing shovels or other tools for that purpose, or by or under any other pretence or claim whatsoever, under the penalty of five pounds for every offence, and of being rendered for ever thereafter incapable of exercising the trade or business of a coal-undertaker.

III. And be it enacted by the authority, aforesaid, That every such coal-undertaker, before he shall undertake to procure coal-heavers to unload any such ship loaden with coals as aforesaid, shall take and subscribe the following oath before the lord mayor, or one of the aldermen of the city of *London*; that is to say,

I AB do swear, That I will well and truly exercise the business of a coal-undertaker; and that so long as I shall continue to exercise that business, I will in all things conform myself to the directions of an act of parliament made in the tenth year of his majesty King George the Third, intituled, An act to repeal an act passed in the thirty-first year of the reign of his late majesty King George the Second, intituled, An act for relief of the coal-heavers working upon the river Thames; and for enabling them to make provision for such of themselves as shall be sick, lame, or past their labour, and for their widows and orphans; and to regulate the price of their labour; to prevent frauds and impositions on such labourers; and for their further relief.

So help me God.

Penalty on neglect.

Oath to be inrolled.

Victuallers, &c. not to act as coal-undertakers,

on penalty of 5l. and incapacity.

upon pain of forfeiting for every ship loaden with coals, for the discharge of which he shall undertake to procure coal-heavers, the sum of five pounds; which said oath shall be inrolled among the records of the court of lord mayor and aldermen of the city of *London* aforesaid.

IV. And be it further enacted, That no such coal-undertaker shall be a victualer, or concerned directly or indirectly, either in his own name or in the name of any other person, or by way of partnership or agreement, to receive any part of the profits of such trade, or in any other manner in the selling bread, meat, or other eatables, wine, beer, or spirituous liquors, or other drink of any kind or species whatsoever, or of tobacco, upon pain of forfeiting the sum of five pounds, and of

of being rendered incapable for ever of exercising the said business of a coal-undertaker: and if any such coal-undertaker after conviction, and being adjudged to pay such last mentioned penalty, or the penalty herein before inflicted for taking, receiving, or demanding any sum or sums of money, or other valuable thing whatsoever, as commission, or as a reward or gratuity for procuring coal-heavers to be employed in unloading ships loaden with coals, shall again undertake to procure coal-heavers to unload ships loaden with coals; such offender shall, for every ship loaden in part or in the whole with coals, which he shall, after such conviction and adjudication, undertake to procure coal-heavers to unload, forfeit and pay the sum of five pounds.

Penalty on subsequent offence.

V. And be it further enacted by the authority aforesaid, That from and after the twenty-fourth day of *June* one thousand seven hundred and seventy, there shall be one fixed and settled price for the hire or labour of all such persons as shall be employed in discharging ships or vessels loaded with coal in the river *Thames*, *videlicet*, one shilling and sixpence *per* score, and no more, and so in proportion for any greater or less quantity; and if any captain or owner, or other person or persons having the care of any such ship or vessel, shall pay, or cause to be paid, directly or indirectly, to any gang of coal-heavers, or separate coal-heaver, or to any other person or persons whomsoever, any greater or less sum or hire or wages than is hereby directed or appointed as aforesaid; such person or persons shall, for each offence, forfeit the sum of ten shillings; except such price or wages for labour shall be altered by virtue of this act in the manner herein-after directed.

Persons discharging coal ships to be allowed 1s. 6d. *per* score, and in proportion for greater or less quantities. Owner, &c. paying greater or less price, forfeits 10s. for each offence.

VI. And be it further enacted by the authority aforesaid, That the court held in the city of *London*, commonly called *the court of lord mayor and aldermen*, is hereby authorised and impowered, in the month of *January* in every year, to alter, as they shall judge it necessary and convenient, the price, sum of money, pay, or wages, hereby directed to be paid to such persons as shall be employed in discharging ships or vessels loaded with coals as aforesaid; to which alterations all persons shall conform themselves, under the penalties hereby directed and inflicted.

Exception. Court of mayor and aldermen may annually, in *January*, alter the said price;

VII. And be it further enacted, That every captain or master of a ship or vessel, loaden or to be loaden with coals, his agent or factor, or agents or factors, shall, after his ship shall be unloaded within the limits aforesaid, pay or cause to be paid on demand to the foreman of the gang, who shall have been employed to unload the same, or to such other person as he shall appoint, all and every sum or sums of money due for unloading such ship; and such foreman of the said gang, after he shall have received such sum or sums of money, shall pay or cause to be paid to each of the said gang, which shall be employed in unloading such ship, his share of such sum or sums of money: and if such sum or sums of money shall, in either case, not be paid and satisfied on demand, it shall and may be lawful to and for any person

to which alteration all persons are to conform.

After ship shall be unloaded, master, &c. to pay to the foreman of the gang, the money due for unloading; and foreman to pay to each man his share. If money not paid on demand, complaint may be

made to lord mayor, &c.

who may determine the same,

and cause the debt, with costs (not exceeding 10s.) to be levied by distress.

For want of distress, offender to be committed.

Wages of coal-heavers to be paid in current coin.

Coal-heaver leaving ship before he is discharged, to be punished in like manner as labourers leaving their work unfinished.

Captain may employ his own mariners in discharging ship of coals, at the price they shall agree upon; or coal-heavers, or other persons, paying them as directed by this act.

All penalties to go to the informer; to be recovered before lord mayor, or one alderman; and levied by distress.

son so aggrieved, to apply and complain to the lord mayor, or any one of the aldermen of the city of *London* aforesaid, for redress; who shall and may, with all convenient speed, hear the said complaint and determine the same: and if such captain or master of any ship or vessel shall be adjudged indebted to the gang complaining, who shall have been employed to unload the same ship or vessel; or such foreman of the said gang shall be adjudged indebted to the said gang, or any of them complaining; it shall and may be lawful to and for the said lord mayor or aldermen before whom such complaint shall be heard, by warrant under his hand and seal, forthwith, and without delay, to cause such debt, together with the costs and charges attending such complaint, not exceeding twenty shillings, as such mayor or aldermen shall judge reasonable, to be levied by distress and sale of the goods and chattels of the person indebted; and for want of such distress, or sufficient distress, to commit him to either of the compters within the said city, there to remain until such debt, costs and charges shall be fully paid and satisfied.

VIII. And be it further enacted, That the wages and hire of coal-heavers shall be paid by the masters or owners of ships, or their agents, to the foreman of the gang, and by him divided among the said coal-heavers, in current coin, and not by way of barter or exchange, in any goods, wares, merchandizes, meat, drink, or materials for wearing apparel, under the penalty of five pounds.

IX. And be it further enacted by the authority aforesaid, That if any coal-heaver employed in discharging or unloading any ship or vessel as aforesaid, shall leave such ship before she be fully discharged, not being obliged thereto by sickness or other accident, and not being prevented from working by any neglect or default of the master or owner of such ship, or the officers appointed to attend the delivery thereof; every person so offending shall be liable to be punished in the same manner as other labourers are, by law, liable to be punished for leaving their work unfinished or unperformed.

X. Provided always, and be it further enacted by the authority aforesaid, That it shall and may be lawful to and for every captain or master of a ship or vessel laden or to be laden with coals within the limits aforesaid, to employ his own mariners in discharging his said ship or vessel, and to pay them as he and they shall agree; or to procure coal-heavers or other persons to discharge the same, upon paying such coal-heavers or other persons the pay or wages by this act directed and intended to be paid to coal-heavers.

XI. And be it further enacted by the authority aforesaid, That all and every penalty and penalties in this act mentioned and contained, shall go to the informer; and shall be recovered before the lord mayor, or any one of the aldermen of the city of *London*; and be levied by distress and sale of the goods and chattels of the offender, by warrant under the hand and seal of the said mayor or aldermen before whom the same shall be

recov-

recovered; and for want of such distress, or sufficient distress, such offender shall, for every offence, be committed by the said lord mayor, or any one of the aldermen of the said city of *London*, to either of the compters of the said city, for any term or space not exceeding thirty nor less than fifteen days.

For want of distress; offender to be committed.

XII. And be it further enacted by the authority aforesaid, That all disputes and differences that shall or may at any time or times, during the continuance of this act, be or arise between any captain or master of any ship or vessel laden with coals, the said coal-undertakers or coal-heavers, or two or more of them, within the limits aforesaid, shall be adjudged and determined before the said lord mayor, or any one of the aldermen of the said city of *London*, and before no other court or courts, magistrates or magistrate whatsoever, in the same manner as disputes and differences between masters and servants in husbandry are, by law, directed to be adjudged and determined, and no otherwise; except in cases where such matters are or shall be altered, or otherwise provided for by this act.

Disputes to be determined by lord mayor, or one alderman,

in like manner as disputes between masters and servants in husbandry.
Exception:

XIII. And be it further enacted by the authority aforesaid, That in case any person or persons shall think himself or themselves aggrieved by any adjudication or determination of the lord mayor, or any one of the aldermen of the said city of *London*; it shall and may be lawful to and for such person or persons so aggrieved, to appeal to the general quarter sessions of the peace to be held for the said city of *London*, or any adjournment thereof, for redress, whose determination shall be final; which court is hereby authorised and empowered to award costs not exceeding forty shillings, either to the complainant or defendant; as such court shall think just and reasonable; and to cause the same to be levied and paid as debts are herein before directed to be levied and paid.

Persons aggrieved may appeal to the quarter-sessions;

who may determine finally, and award costs, not exceeding 40 s.

XIV. And be it further enacted by the authority aforesaid, That the sum of sixpence in the pound shall be stopped and deducted by the foreman of every gang out of the several sums of money so to be paid for the hire and wages of coal-heavers so discharging such ships or vessels as aforesaid; and the money so stopped and deducted shall from time to time be paid to *Charles Martyn*, of *Fermyn Street, Saint James's*, gentleman, or such person or persons as he shall direct, until the full sum of three hundred pounds shall be fully paid and satisfied, for paying and discharging the costs, charges, and other expences incurred in obtaining and passing this act; and the several foremen shall be answerable to the said *Charles Martyn* for the same; and the same shall be from time to time, in case of neglect or refusal of payment, levied and enforced in such manner as is directed with respect to the debts due from masters of ships, or their agents, to coal-heavers.

Foreman of every gang may stop 6 d. in the pound out of coal-heavers wages

till 300 l. be paid towards expence of obtaining this act.

On nonpayment, may be levied.

XV. And be it further enacted by the authority aforesaid, That if any action shall be brought or commenced against any person or persons for any matter or thing done in pursuance of

Limitation of actions.

this act, then, and in such case, such action or suit shall be brought or commenced within six calendar months next after the fact committed, and not afterwards, and shall be brought, laid, and tried in the city of *London*, and not elsewhere; and the defendant or defendants in such action or suit shall and may

General issue. plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if the plaintiff or plaintiffs shall become nonsuited, or discontinue his, her, or their action or actions, suit or suits; or if upon verdict or demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall and may recover treble costs, and have such remedy for the same, as any defendant or defendants hath or have in any other cases by law.

Publick act. XVI. And be it further enacted by the authority aforesaid, That this act shall be deemed, adjudged, and taken to be a publick act, and be judicially taken notice of as such by all judges, justices, and other persons whatsoever without specially pleading the same.

This act to be in force for 3 years, &c. XVII. And be it further enacted by the authority aforesaid, That this act shall remain and continue to be in force for the term or space of three years, and from thence to the end of the then next session of parliament.

C A P. LIV.

An act for amending the road from Saint Stephen's gate, in the city of Norwich, to Block Hill in Trowse, at the angle where the road divides to Bixley and Kirby, in the county of Norfolk.

C A P. LV.

An act for repairing and widening several roads in the county of Cardigan.

C A P. LVI.

An act for the better maintaining, regulating, and employing the poor within the parish of Saint Paul Shadwell, in the county of Middlesex.

C A P. LVII.

An act for the better regulating the navigation of the river Trent, from Wilden Ferry, otherwise Cavendish Bridge, in the county of Derby, to Gainsborough, in the county of Lincoln.

C A P. LVIII.

An act for amending the road from Aylesbury, in the county of Buckingham, through Thame and Little Milton, to the

the turnpike road between Benfington and Shillingford; in the county of Oxford.

C A P. LIX.

An act to continue and render more effectual an act of the thirty-first year of his late Majesty, for repairing several roads in the counties of Dorset and Devon, leading to and through the borough of Lyme Regis; and for repairing the road from the turnpike road at the Three Ashes, in the parish of Crewkerne, in the county of Somerset, and other roads therein mentioned.

C A P. LX.

An act for enlarging the term and powers of an act for amending the road from Christopher's Bridge, in the borough of Thetford, in the county of Suffolk, to the north-east end of the town of Newmarket, in the county of Cambridge.

C A P. LXI.

An act to enlarge the term and powers of an act made in the thirty-first year of the reign of his late Majesty, for repairing the road from Leeds to Sheffield, in the county of York, so far as the same relates to the road from Leeds to Wakefield.

C A P. LXII.

An act for the repairing, widening, and keeping in repair, the road leading from Eaton Bridge, turnpike road at Cockham Hill, in the parish of Westerham, in the county of Kent, through the village of Limpsfield, to the village of Titfey, over Botley Hill, Worms Heath, and Willingham common, to the turnpike road leading from Croyden to Godstone, in the county of Surry.

C A P. LXIII.

An act for repairing and widening the road from Upton, in the parish of Ratley, to the north end of Bridge Street, in the town of Great Kingston; and from thence to the guide post at the town of Wellesbourne Hastings, in the county of Warwick.

C A P. LXIV.

An act for repairing and widening the road from Lewes to Brighthelmston, in the county of Suffex.

C A P. LXV.

An act for repairing the road from the bridge on the old river
C c 2 at

C A P. LXVI.

An act for repairing and widening the road from Tunstall, in the county of Stafford, to Bosley in the county of Chester; and from Great Chell, to Shelton in the said county of Stafford.

C A P. LXVII.

An act for amending and widening the road from Saint Benedict's gate, in the county of the city of Norwich to Swaffham, in the county of Norfolk, and from Halfpenny bridge in Honingham, to the bounds of Yaxham; and also a lane called Hangman's lane, near the gates of the said city.

C A P. LXVIII.

An act for continuing the terms, and enlarging the powers, of several acts of parliaments made for repairing the road from Ipswich to Cleydon, and several other roads therein mentioned, in the county of Suffolk.

C A P. LXIX:

An act to enlarge the term and powers of an act of the eighteenth year of the reign of King George the second, for repairing the road from Birmingham, in the county of Warwick (through Elmdon) to a lane leading by the end of Stonebridge in the said county.

C A P. LXX.

An act to enlarge the term contained in two several acts of parliament, and to grant a further term and powers for the more effectual repairing, widening, and amending the road from a place called Earl's Kill in Warrington, to the Toll Bars in Wallgate in Wigan, both in the county of Lancaster.

C A P. LXXI.

An act to continue two acts, of the third and seventeenth years of the reign of King George the second, for repairing the road leading from Galley Corner, adjoining to Enfield Chace, in the parish of South Mims, in the county of Middlesex, to Lemsford Mill in the county of Hertford.

C A P. LXXII.

*An act for repairing and widening the road from Bicester in
the*

the county of Oxford, to Aylesbury in the county of Bucks.

CAP. LXXIII.

An act to empower the justices of the peace for the county of Devon to apply a sum of money, out of the county stock, for the opening, making, and maintaining a convenient and commodious highway, from the high street in the city of Exeter to the castle of Exeter.

CAP. LXXIV.

An act to enlarge the term and powers of an act made in the twentieth year of his late Majesty, for repairing the road from Cirencester in the county of Gloucester, to Birdlip Hill in the said county.

CAP. LXXV.

An act for building a workhouse in the parish of Saint Martin in the fields, within the liberty of Westminster in the county of Middlesex.

CAP. LXXVI.

An act for repairing, widening, and keeping in repair the road from New Chappell, in the county of Surry, over Copthorn, in the county of Suffex, through Lindfield, to the town of Ditchling, up to the top of Ditchling Bost Hills, in the said county of Suffex.

CAP. LXXVII.

An act for amending and widening the road from Saint Stephen's gate, in the county of the city of Norwich, to the Windmill in the town of Watton, in the county of Norfolk.

CAP. LXXVIII.

An act for amending and widening several roads leading from the Bell in Stoke Ferry in the county of Norfolk.

CAP. LXXIX.

An act to enable the parishioners of Saint Andrew, Holborn, London, to purchase a workhouse.

CAP. LXXX.

An act for building a workhouse for the liberty of Saffron-Hill, Hatton-Garden, and Ely-rents, in the parish of Saint Andrew Holborn, in the county of Middlesex.

CAP. LXXXI.

An act for consolidating the rates to be made for the relief of the poor of the respective parishes of Saint Thomas, Saint Edmund, and Saint Martin, in the city of New Sarum.

CAP. LXXXII.

An act to explain, amend, and render more effectual, and to enlarge the term and powers granted by an act passed in the twenty-second year of the reign of his late majesty King George the second, so far as the said act relates to the repairing and widening the road from Hindhead Heath, in the county of Surry, through Fernhurst lane and Midhurst, to the city of Chichester, in the county of Sussex; and also for repairing and widening the road from Chichester aforesaid to Delkey, in the said county.

CAP. LXXXIII.

An act to continue and render more effectual several acts for repairing and amending the road from Biggleswade, in the county of Bedford, through Bugden and Alconbury to the top of Alconbury Hill, and from Bugden to Huntingdon, and from Cross Hall to Great Stoughton common, in the county of Huntingdon; and for repairing, widening, turning, and altering the road leading out of the aforesaid road at or near the Ferry-house, in the parish of Tomsford, to and through Little Barford, Eynesbury, and Saint Neots, to the turnpike road at the end of Cross Hall lane.

CAP. LXXXIV.

An act for enlarging the term granted by an act of the twenty eighth year of his late Majesty's reign, "for repairing and widening the road from Sutton, in the county of Surrey, through the borough of Reigate, by Sidlow Mill, to Povey cross, and from Sutton aforesaid, through Cheam and over Howell Hill, to Ewell, and also the road from Tadworth, by the Windmill, to the bottom of Pebble Hill, in the said county;" and for empowering the trustees appointed by an act of the tenth year of his late majesty King George the First, for repairing several roads in the counties of Surrey and Sussex, to make a yearly allowance to the trustees appointed by the said act of the twenty-eighth of George the Second, and for taking certain roads out of the power of the trustees appointed by the said act of the tenth of George the First, and putting them under the direction

rection of the trustees appointed by the said act of the twenty-eighth of George the Second; and for repairing the road from Povey Cross, in the county of Surrey, to the Oak dividing the counties of Surrey and Suffex; and also the road from Woodhatch to Peteridge Lane, in the county of Surrey.

CAP. LXXXV.

An act for repairing and widening the several roads from the South Gate, in the borough of King's-Lynn, into the parishes of East Walton, Narborough, Stoke-ferry, and Downham-market, in the county of Norfolk.

CAP. LXXXVI.

An act for repairing and widening the roads from the East Gate, in the borough of King's-Lynn, into the parishes of Geyton and Grimstone, and to the gate next Hillington, on Congham common, and to the north end of Babingley lane, in the county of Norfolk.

CAP. LXXXVII.

An act to enlarge the term and powers granted by an act passed in the first year of the reign of his present Majesty, "for repairing and widening the road from the east end of "West Taphouse lane to the borough of Liskeard, and "from thence to Coomb Row House, and also the road "from the said borough of Liskeard to Craft Hole, and "from thence to Crimple Passage and Tar Point, and from "Craft Hole aforesaid to Saint German's Beacon, in the "counties of Cornwall and Devon," and for amending the roads from Barn Street to Duloe Church, and from Lux Street to Crathick Ford, and from Bull Post to Treworrey Cross, in the county of Cornwall.

CAP. LXXXVIII.

An act for repairing and widening the road from Whitechurch, in the county of Southampton, to the turnpike road at Aldermaston Great Bridge, in the county of Berks.

CAP. LXXXIX.

An act to enlarge the term and powers of an act made in the fifth year of his present Majesty, for repairing and widening the road from Stockport in the county of Chester, to Saxon's lane End in the county of Lancaster, and other roads in the said act mentioned.

CAP.

CAP. XC.

An act to continue, amend, and render more effectual the several acts now subsisting for repairing the road from Dunchurch to Stone Bridge, in the county of Warwick.

CAP. XCI.

An act for enlarging the term and powers of an act passed in the twenty-fifth year of the reign of his late Majesty, for repairing the several roads leading from the town of Bromyard, in the county of Hereford, therein mentioned, and for amending several other roads adjoining thereto.

CAP. XCII.

An act for repairing and widening the road from Worksope to the turnpike road at Kelham, and from Debdale Hill to the great northern road at South Muskam, in the county of Nottingham.

CAP. XCIII.

An act for building a bridge over the river Clyde, near the town of Hamilton, in the county of Lanark, and for making and repairing certain roads and avenues leading to the same.

CAP. XCIV.

An act for amending the road from Wellbourn Mountfort, to Stratford upon Avon, in the county of Warwick.

CAP. XCV.

An act for repairing and widening the roads leading from BRIGHTHELMITON, to the County oak on Lovell Heath, in the county of Suffex.

CAP. XCVI.

An act for repairing and widening the roads from the borough of Bury Saint Edmunds, to the town of Newmarket, in the counties of Suffolk and Cambridge; and from the south end of the Ferry Street in Brandon, to Bury Saint Edmunds, in the said county of Suffolk.

CAP. XCVII.

An act to extend the provisions in two acts passed in the third and fifth years of his present Majesty, for repairing the road from Cambridge to Ely, and from Ely to Littleport; and other roads therein mentioned, to the road from Wilburton to Mepall; and for making other provision for repairing the said road from Ely to Littleport; and for making

making and keeping in repair a road from Littleport to Chequer Corner in Downham, in the counties of Cambridge and Norfolk.

C A P. XCVIII.

An act for repairing, widening, and altering the road from Macclesfield, in the county of Chester, to the turnpike road at Randle Carr lane Head in Fernilee, in the county of Derby, leading to Chapel in the Frith, in the same county.

C A P. XCIX.

An act for repairing and widening several roads leading to and through the borough of Tamworth, and other roads therein mentioned, in the counties of Stafford, Warwick and Derby.

C A P. C.

An act to continue the term, and to vary and enlarge the powers of two acts of the twelfth year of the reign of King George the First, and the eighteenth year of the reign of his late Majesty, for repairing the highways from Speenhamland, in the county of Berks, to Marlborough, in the county of Wils; and for repairing several other roads therein mentioned.

C A P. CI.

An act for repairing and widening the road from Burford to Banbury, in the county of Oxford; and from Burford aforesaid to the turnpike road leading to Stow, in the county of Gloucester, at the bottom of Stow-Hill; and from Swerford-gate, in the said county of Oxford, to the turnpike road in Aynho, in the county of Northampton.

C A P. CII.

An act to amend an act made in the sixth year of the reign of his present Majesty, for making a navigable cut or canal from the river Trent, at or near Wilden Ferry, in the county of Derby, to the river Mersey, at or near Runcorn Gap; and for granting further powers for that purpose.

C A P. CIII.

An act to explain and amend an act made in the sixth year of the reign of his present Majesty, intituled, An act for making and maintaining a navigable cut or canal from the river Severn, between Bewdley and Tipton Brook,

Brook, in the county of Worcester, to cross the river Trent, at or near Heywood Mill, in the county of Stafford, and to communicate with a canal intended to be made between the said river Trent and the river Mersey; and for granting further powers for that purpose.

C A P. CIV.

An act to explain and amend an act made in the thirty-second year of the reign of King George the Second, for improving the navigation of the river Clyde, to the city of Glasgow, and for building a bridge cross the said river, from the said city, to the village of Gorbells.

C A P. CV.

An act for making and maintaining a navigable cut or canal and waggon way, from the collieries in the parishes of Old and New Monkland, to the city of Glasgow.

C A P. CVI.

An act to continue the term, and alter and enlarge the powers of an act made in the thirty-first year of his late Majesty, for repairing the road from the village of Magor, to the bridge foot in the town of Chepstow in the county of Monmouth, and other roads in the counties of Monmouth and Gloucester; and for repairing and widening several other roads adjoining to the said roads.

C A P. CVII.

An act to continue the term, and alter and enlarge the powers of three acts for repairing the highways through the several parishes of Saint Michael, Saint Alban, Saint Peter, Shenley Ridge, and South Mims, in the counties of Hertford and Middlesex.

C A P. CVIII.

An act for continuing, amending, and rendering more effectual, so much of three acts of parliament, for repairing the roads from Sevenoaks, Tunbridge-Wells, and Kipping's-Cross, to Lamberhurst-Pound, and Pullin's-Hill, in the county of Kent; and to Flimwell-Vent, in the county of Suffex; as relates to the road leading from Sevenoaks common to Woodsgate, Tunbridge-Wells, and Kipping's-Cross, in the said county of Kent.

C A P.

C A P. CIX.

An act for repairing and widening several roads leading from the town of Louth, in the county of Lincoln.

C A P. CX.

An act to explain, amend, and render more effectual, an act made in the fourth year of the reign of his present Majesty, for maintaining, regulating, and employing the poor of the parish of Saint Clement Danes, in the liberty of Westminster and county of Middlesex.

C A P. CXI.

An act for completing the navigation of the river Swale, from its junction with the river Ure to Morton Bridge, and of Bedale Brook, in the county of York, and for repealing part of an act made in the seventh year of his present Majesty's reign relating thereto.

C A P. CXII.

An act for building a new parish church, and declaring the present parish church a chapel; for making a cemetery or church-yard; and for building an house for the use of the minister of the parish of Saint Mary le bone, in the county of Middlesex.

C A P. CXIII.

An act for repairing, widening, turning, and altering the roads from Butterton Moor End near Oncott, in the county of Stafford, to the three mile stone in the turnpike road leading from Buxton to Ashborne, in the county of Derby, and from Blackton Moor, in the county of Stafford, to the turnpike road leading from Buxton to Ashborne near Newhaven, in the county of Derby; and from Warflow to Ecton Mine, in the county of Stafford.

C A P. CXIV.

An act for making and maintaining a navigable cut or canal from Leeds Bridge, in the county of York, to the North Lady's Walk in Liverpoole, in the county palatine of Lancaller, and from thence to the river Mersey.

The END of the twenty-eighth Volume.

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